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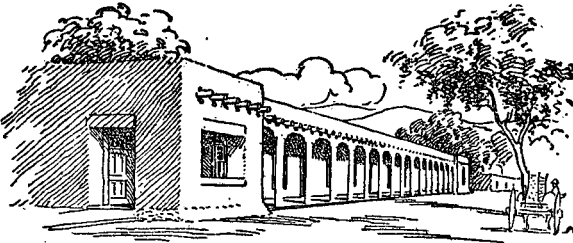


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VOL. XVI

JANUARY, 1941

No. 1



PALACE OF THE GOVERNORS

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CONTENTS

The Beginnings of the Apache Menace of the Southwest	1
Donald E. Worcester	
Troublous Times in New Mexico, 1659-1670. France V. Scholes	15
Franciscan Missions of New Mexico, 1740-1760. Henry W. Kelly	41
New Mexico's Fight for Statehood, 1895-1912. Marion Dargan	70
Death of Dr. J. M. Whitlock. Mrs. B. C. Hernandez	104
Book Reviews:	107
Kluckhohn and Spencer, <i>A Bibliography of the Navaho Indians</i>	W. W. Hill
Bailey, <i>Diego de Vargas and the Reconquest of New Mexico, 1692-1704</i>	L. B. B.
Dunne, <i>Pioneer Black Robes on the West Coast</i>	P. A. F. W.
Caughey, <i>California</i>	L. B. B.
Notes and Comment:	114
The Index for Volumes I-XV	
The April Issue	
A "New" Fray Marcos de Niza Manuscript. G. P. Hammond	
Necrology	116
Mrs. Henry Woodruff	P. A. F. W.
Arthur Leon Seligman	P. A. F. W.
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Courtesy Albuquerque Morning Journal

THE LATE PABLO ABEITA, ISLETA PUEBLO
(See Necrology)

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THE BEGINNINGS OF THE APACHE MENACE OF THE SOUTHWEST

By DONALD E. WORCESTER

IT HAS BEEN customary for writers to say that the Apache troubles in the Southwest did not begin till near the end of the seventeenth century. H. H. Bancroft stated that "From about 1672 the various Apache tribes became troublesome . . ." ¹ And in another place, "Toward the Spaniards the Navajos were friendly down to 1700, but in that year they committed some depredations, . . ." ² R. E. Twitchell said, "The Spaniards first began having serious trouble with the Navajo tribe shortly after the Pueblo uprising of 1680." ³ A study of the documentary evidence reveals that these distinguished historians were mistaken, and that the Apache menace is as old as the first Spanish occupation of the Southwest. Clearly, the Apaches were better known to the early Spanish settlers and explorers than to modern historians.

Although they were not known at first by the name Apache—believed to be a corruption of the Zúñi word *ápachu* (enemy), their name for the Navajos ⁴—the nomadic bands of Athapascan linguistic stock were encountered from the outset by nearly every Spanish expedition into the

1. H. H. Bancroft, *History of Arizona and New Mexico*, San Francisco, 1888, p. 170.

2. *Ibid.*, 222.

3. R. E. Twitchell, *Leading facts of New Mexican history*, Cedar Rapids, 1912, ii, 43.

4. F. W. Hodge, *Handbook of American Indians*, Washington, 1907, i, 63.

region. The purpose of this paper is to make known some of the early meetings between Spaniards and Apaches.

The first Europeans to see the Apaches were presumably the soldiers of the Coronado expedition, 1540-42. Castañeda, chronicler of that adventure, tells that when they were ten days' journey beyond the Pecos River, they came upon Indians living like Arabs, who were called Querechos, or buffalo-eaters. He noted a peculiarity of this tribe in their prevalent use of dogs as beasts of burden, which served to identify them as the Indians who came to be called Apaches Vaqueros, a term that included nearly all the buffalo hunting Apaches.⁵ Castañeda said of the Querechos, "They have better figures than the Pueblo Indians, are better warriors, and are more feared,"⁶ indicating that some conflict between the Pueblo Indians and the Querechos must have existed prior to 1541. That the ancient pueblo tribes lived in constant fear of attacks is proven by their efforts to fortify their homes. At Coolidge, Arizona, for example, there is the ruin of the Casa Grande pueblo, which, being situated on an open plain, was surrounded by a wall, and which had a high tower that was used as a lookout for the approach of raiding parties.⁷ The last period of occupation of this village, as determined by dendrochronology, was between 1300 and 1400 A. D. Other pueblo ruins show signs of attacks upon them for which the Apaches and Navajos might well be blamed, although there is no conclusive proof of their responsibility. Contrary to the belief expressed by F. W. Hodge that the Apaches did not molest the Pueblo tribes before the seven-

5. *Ibid.*

6. G. P. Winship, *Journey of Coronado*, N. Y., 1904, p. 111.

7. It is known that the Casa Grande tower was not built to live in by the fact that the lower stories were filled in to support the weight of the upper walls. In the latter part of the seventeenth century, Kino visited Casa Grande, and wrote: "It is said that the ancestors of Montezuma deserted and depopulated it, and, beset by the neighboring Apaches, left for the east or Casas Grandes, . . ." (H. E. Bolton, *Kino's memoir of Pimería Alta, 1683-1711*, Cleveland, 1919, i, 128). Manje reported, "An arquebus-shot away are seen twelve other half fallen houses, also having thick walls, and all with their roofs burned." (*Luz de tierra incógnita*, libro ii, cap. 5). The fact that the roofs were burned suggests Apache raids, since one of their raiding stratagems was to set the roofs of buildings on fire.

teenth century,⁸ Castañeda's statement, together with the evidences of assaults upon pueblos, and the fact that "Apache" originally meant enemy, are strong indications that the pueblo peoples had reason to fear and hate the Apaches long before the coming of Coronado.

Bustamante's account of the Rodríguez expedition of 1581 indicates that Querechos were seen on the journey through New Mexico. Bustamante said: "Reaching some plains and water holes, which they gave the name Los Llanos de San Francisco and Aguas Zarcas, they saw many herds of cows that come there to drink . . . There they found a ranchería of a different nation from those they had left behind, going to kill cattle for their food. They carried their provisions of maize and dates (*dátil*) loaded on dogs which they raise for this purpose."⁹

In spite of the view held by Charles Amsden that none of the sixteenth century expeditions had any contact with the Navajos, or learned of their existence in any specific way,¹⁰ Espejo met some mountain Querechos near Ácoma in 1582, who were presumably Navajos, or Apaches del Navajó, as they were first called. The relation between the Spaniards and Navajos were similar to those between Spaniards and Apaches, and due to the confusion that existed in regard to these tribes, many early accounts referred to Apaches when actually Navajos were meant. The Navajos were considered part of the Apache nation, but the chief connection was that both belonged to the Athapascan linguistic family.

In 1590 Castaño de Sosa visited the Pecos region and saw the Querechos and their dogs. Castaño spoke of them as Vaqueros, because they followed the buffalo. No friendliness whatever was shown by these Indians, for they attacked the party, and killed one member, an Indian. Moreover, they

8. F. W. Hodge, "Early Navaho and Apache," *American Anthropologist*, o.s., viii, 1895, p. 239.

9. H. E. Bolton, *Spanish exploration in the Southwest*, N. Y., 1916, p. 148.

10. C. Amsden, "Navaho origins," *NEW MEXICO HISTORICAL REVIEW*, vii, 1932, p. 194.

stole a number of Castaño's cattle. Captain Cristóbal de Heredia and five soldiers were soon in pursuit of the cattle thieves, and besides killing a number of them, the soldiers returned with four captives. One of these was hanged, while the other three, because of their extreme youth, were spared, and kept to serve as interpreters.¹¹ These incidents probably mark the first recorded clashes between Apaches and Spaniards, and were the precursors of nearly three centuries of bitter warfare. The practice of seizing Apaches for slaves became a profitable occupation of some of the Spanish settlers of New Mexico, and it was a constant source of irritation to the Apaches and Navajos.

Don Juan de Oñate wrote on 2 March, 1599, "We have seen other nations such as the Querechos, or herdsmen, who live in tents of tanned hides among the buffalo. The Apaches, of whom we have also seen some, are innumerable, and although I heard that they live in rancherías, a few days ago I ascertained that they live like these in pueblos, one of which, eighteen leagues from here, contains fifteen plazas. They are a people whom I have compelled to render obedience to His Majesty, although not by means of legal instruments like the rest of the provinces. This has caused me much labor, diligence, and care, long journeys, with arms on the shoulders, and not a little watching and circumspection; indeed, because my *maese de campo* was not as cautious as he should have been, they killed him with twelve companions in a great pueblo fortress called Ácoma, which must contain about three thousand Indians."¹² An alliance between the Apaches and the Pueblo Indians, such as those which were common later on, may have been the cause of Oñate's apparently erroneous belief that the Apaches dwelt in permanent pueblos. In reporting his journey to the plains in 1601, Oñate evidently considered that a safe passage through the Apache country was a noteworthy feat, for he wrote with pardonable pride, "we were not disturbed by them at all,

11. Pacheco y Cárdenas, *Colección de documentos inéditos*, Madrid, 1871, xv, 210.

12. H. E. Bolton, *op. cit.*, p. 217-18.

although we were in their lands, nor did any Indian become impertinent."¹³

Accounts concerning the Apaches and Navajos during the early years of the seventeenth century are rather scarce, but available reports run so thoroughly in the same vein as clearly to indicate that raids by those Indians upon the converted tribes, the Spanish outposts, and the Spanish horse herds were continual from the first days of Spanish settlement of the Southwest.

The Apaches began acquiring horses as soon as there were any to be had. Ranches were begun in New Mexico about 1600, and the Apaches soon found horse stealing an occupation which was well suited to their way of life. So troublesome were their depredations during the first years of the province, that early in 1608 Father Lázaro Ximénez informed the viceroy that the Spaniards and Christian Indians of New Mexico were regularly harassed by the Apaches who destroyed and burned the pueblos, waylaid and killed the natives, and stole the horses of the Spaniards. He asked that the governor be required to keep some soldiers in the field for the defense and security of the land, as there was much grumbling among the natives.¹⁴ This served as the official declaration of a long and sanguine conflict between Spaniards and Apaches, which greatly hindered the Spanish advance into the rich mining and agricultural regions of northern New Spain. When the Spaniards gained control of the pueblo tribes, they were forced to protect them from Navajo and Apache raids. Thus, they inherited indefatigable foes who were to make their hold on the entire area a tenuous one for centuries to come.

The acquisition of the horse by the Apaches served greatly to augment the Apache danger, for horses furnished them a certain food supply and at the same time made pos-

13. *Ibid.*, 253.

14. Mandamiento para que el governador de la nueva mexico conforme al numero de gente y armas que obiere en aquel pressidio procure que ande una squadra que acuda al remedio de los daños que hacen los yndios apaches de guerra en los amigos y cavallada de Españoles, 6 de março, 1608. A. G. I. 58-3-16. Bancroft Library transcript.

sible the extension of their range and increased their fighting ability. Mounted, the Apaches presented a problem unlike any by which the Spaniards had previously been plagued. Whereas it was fairly simple to surround a pueblo and force the occupants to surrender, the Apaches had no homes or towns to be defended, and no large armies to be defeated. Furthermore, they generally did not risk battle without first making sure that their force was superior in strength to that of their enemies, not from any cowardice, but because the loss of warriors was severely felt. Plunder was the main objective in their raids; if this could be accomplished without fighting, so much the better.

Apache hostility was mentioned in a memorial on New Mexico by Fray Francisco de Velasco, probably written in the summer of the year 1608: "The second [reason not to abandon the converts] is that those Indians have become so friendly with the Spaniards, they have lost the friendship of the Picuríes, Taos, Pecos, Apaches, and Vaqueros. The latter have called a general convocation among themselves and among other barbarous tribes for the purpose of killing and putting an end to our friends as soon as the Spaniards leave them. This will most certainly come to pass. If the colonists are withdrawn and the religious remain among the Indians, we must believe they will have no better fortune than the Indians."¹⁵

In the royal cedula of 20 May, 1620, the king referred to a letter from the *cabildo justicia y regimiento* of Santa Fé, of the year 1617, in which there was a description of the perilous state of that new settlement, because it had only forty-eight soldiers and was surrounded by several Indian nations. Part of the danger, at least, was probably due to the Apaches. In 1622 the converted Jémez Indians were forced to abandon one of their pueblos because of raids of the Navajos from the northwest.¹⁶

Fray Alonso de Benavides, in his report on New Mexico

15. Fray Francisco de Velasco, *Memorial de Nuevo Mexico* [considered in Council], 9 April, 1609, A. G. I. 59-1-5 (Mexico 128). Bancroft Library transcript.

16. F. W. Hodge, *op. cit.*, p. 234.

in 1630, gave an account of the different bands and divisions of Apaches then known. First were the Apaches del Perrillo, of whom he wrote, "... and although these Apaches are very bellicose, they are more confiding than the preceding nations, and we can pass by them with less fear,..."¹⁷ Benavides considered as Apaches all of the outlying tribes of New Mexico, and believed there were more Apaches than all the tribes of New Spain together, a gross exaggeration, needless to say. "They are a very energetic people and very fierce in war..."¹⁸ It is a nation so bellicose that it has been a crucible of courage for the Spaniards, and for this they esteem them very much, and say that the Spaniards deserve the title of people, and not the nations of the Indian pueblos."¹⁹ Fray Alonso had more to say concerning the Apaches del Navajó. A convent and church had been founded in the pueblo of Santa Clara, consisting of the Christian Tehua nation, who were near the frontier and who suffered much damage from these Apaches. "This is the most warlike Province of all the Apache Nation, and where the Spaniards have well shown their valor."²⁰ He stated that all of the pueblo tribes were inclined to painting, but to do so they needed a certain light stone (*piedra lumbre*) which was found only in the Navajo country. Two or three thousand Indians, according to Benavides, would go to the Navajo lands to get the stone. They would fight with the Navajos, and many would be killed. The Navajos would then wage a war of retaliation against the Christians. Said Benavides, "There were so many Navajos that in two days they could assemble more than 30,000 warriors, and this is no exaggeration because sometimes the Spaniards have gone there to punish them for the many Christian Indians they killed, and although they

17. Alonso de Benavides, *Memorial*, 1630. (In Gaspar de Villagr a, *Historia de Nueva Mexico*, 1610 (Mexico, 1900 edition), Apendice segundo, p. 13) "y aunque estos apaches son muy belicosos, son de mas confianza que las naciones antecedentes, y pasamos por ellos con menos cuidado..."

18. *Ibid.*, p. 39.

19. *Ibid.*, p. 41.

20. *Ibid.*, p. 44.

approached cautiously and took them unaware, they always found the fields full of countless people."²¹

In Benavides' day there were a number of attempts to convert the Apaches and Navajos. Those Spaniards who were engaged in the profitable, albeit illegal, occupation of selling Apache captives for slaves in the mines of El Parral, were not kindly disposed toward the conversion of Apaches. Benavides told of persuading a certain chief of a *ranchería* of Apaches Vaqueros to agree to conversion for himself and his people. Unfortunately, the Spanish governor sent out a large force of friendly Indians to capture for him as many Apaches as they could. The *ranchería* of the chief who had promised to accept Christianity was raided, and the chief, among others, was killed.

Such acts as the above mentioned one crystallized Apache hatred of the Spaniards, and widened the breach between them. The Apaches gradually became a more serious threat to the security of the province. On 26 September, 1638, Fray Juan de Prada wrote concerning the state of affairs in New Mexico: "These *encomenderos* are under obligations to participate with their arms and horses in the defense both of the natives as well as of the religious who are in the frontier pueblos and live in constant danger from the Apache Indians. These are a very warlike people who live in *rancherías* in the environs of the converted pueblos, against which that nation [the Apache] makes continuous attacks. Thus, in order to guard against these attacks, soldiers are always provided, and in times of special danger they are accustomed to hire others to assist them to form convoys, and for this they give them, at their own expense, arms and horses."²² Fray Juan furthermore mentioned a tendency of the Christian Indians to flee to the Apaches whenever they were annoyed at the soldiers or settlers. This coöperation between Apaches and pueblo Indians was of par-

21. *Ibid.* Clearly, 30,000 warriors would have been more than the Apaches and Navajos together could have assembled.

22. C. W. Hackett, *Historical documents relating to New Mexico, Nueva Vizcaya, and approaches thereto*, Washington, iii, 110, 1937.

amount importance during the era of the Pueblo Revolt of 1680.

Also referring to New Mexico are the words of Francisco de Baeza of 12 February, 1639. "There are perhaps in the entire [province] and its settlements two hundred persons, Spaniards and *mestizos*, who are able to bear arms, as they do in defense of the converted Indians, who frequently suffer injuries from the neighboring Apaches. These are warlike and, as barbarians, make unexpected attacks upon them. To their defense the governors and [Spanish] inhabitants repair, punishing the Apaches severely. As a result the Apaches restrain themselves and the converted Indians are saved, for the Apaches see that the Spaniards defend them and that those are punished who disturb them."²³

During the term of Governor Hernando de Ugarte, 1649-53, the Jémez Indians revolted, aided by the Apaches, and a Spaniard was killed. The disturbance was soon quelled, and by order of the governor, twenty-nine Indians were hanged. In 1650 a plot of the Tehuas and Apaches to kill the friars and soldiers on Thursday night of Passion Week was discovered in time to prevent a massacre. Ugarte wrote from Santa Fé in September, 1653, that he had discovered a very large league and convocation between Apaches and Christian Indians.²⁴

Apaches raided the Jumano village east of Abó during the administration of Governor Juan de Samaniego, 1653-56, and carried off twenty-seven women and children. An expedition led by Juan Domínguez de Mendoza was sent against them, and he left them severely punished. The following year the Navajos attacked the pueblo of Jémez, killing nineteen and taking thirty-five captives. Once more Juan Domínguez led the pursuit. He surprised the Navajos during a native ceremonial, killed several, captured two hundred and eleven, and freed the prisoners, including a Span-

23. *Ibid.*, iii, 119-120. Baeza had been governor of New Mexico in 1635-37.

24. Letter of El General Hernando de Ugarte y la Concha, A. G. I., 67-3-33 (Guadalajara 139). Bancroft Library transcript.

ish woman.²⁵ Most of the captured Navajos were undoubtedly divided as booty among the soldiers, following the custom of punitive expeditions. Navajo and Apache slaves were apparently always in demand, and large numbers of them were sold during the 1650's, which contributed to the ever-growing hostility of the Apaches. Punitive expeditions were the chief means used to acquire Apache slaves, but governors and colonists were not averse to employing other methods, such as seizing Apaches when they came to settlements to trade, and provoking trouble on 'peaceful' trading ventures to the Apache rancherias, or by enlisting Indian allies to capture Apaches for them.

The administration of Governor Manso de Contreras, 1656-59, was characterized by the usual campaigns against the Apaches. In 1658, Apaches (Navajos?) raided the Zuñi pueblos, and in the following year they attacked other frontier pueblos. Manso's successor, Bernardo López de Mendizábal was chiefly concerned with the speedy aggrandizement of his personal fortune, and he followed the example of his predecessors in sending Navajo and Apache captives to the slave markets of New Spain. He was accused of forcing the citizens to sell their Apaches to him or seizing them outright, to increase the number he had to offer for sale.²⁶ Fray Juan Ramírez testified against Mendizábal, on September 8, 1659: "Very great, Sir, has been the covetousness of the governors of this kingdom wherein they have, under color of chastising the neighboring enemy, made opportunity to send, apparently in the service of his Majesty, squadrons of men to capture the heathen Indians to send them to the camps and mines of El Parral to sell (as Governor Don Bernardo de Mendizábal is doing at present, he having sent there more than seventy Indian men and women to be sold). This is a thing which his Majesty and the señores viceroys have forbidden, under penalty of disgrace, deprivation of office, and loss of property, but no attention is paid to the

25. F. V. Scholes, "Troublous times in New Mexico 1659-70," *NEW MEXICO HISTORICAL REVIEW*, xii, 149.

26. *Ibid.*

order on account of the great interests involved; hence God, our Lord, through this inhuman practice is losing innumerable souls of the heathen hereabout, who have, from fear of it, conceived a mortal hatred for our holy faith and enmity for the Spanish nation. For this purpose of making captives, the governor on the fourth of September of this year, 1659, sent out an army of eight hundred Christian Indians and forty Spaniards, though there was evident risk at the time the army set out that trouble would ensue, for the kingdom was then full of bands of heathen who have entered the pueblos of Las Salinas, the *camino real*, and the farms of El Río, and also the pueblos of Hemes, San Ildefonso, and San Felipe. In these pueblos they have killed some Christian Indians and have carried off others alive to perish in cruel martyrdom. They have also driven off some herds of horses and mares. All this is because the populous region is undefended, the troops having been sent off inland for slaves under the pretense above stated, and we are afraid, lest the heathen may come in suddenly while they are absent and destroy some of the settlements. And even though this might not happen, there cannot fail on this account, Sir, to come great hunger and loss of life, for the army went away at the time when the corn was maturing, and there are eight hundred and forty cornfields left to go to ruin without their owners, at the mercy of the bears and other wild beasts, which constantly destroy the crops, while the heathen lay waste the one and catch the other. But on account of the absence of the inhabitants, it is to be expected that grave ruin will come to this poor kingdom, which has just been through so serious a famine that the natives had to sustain themselves on seeds of grasses, *tierra blanca*, . . .

“For the said *entrada* the governor has used the corporal and his squad which is in his Majesty’s pay for the sole purpose of guarding the wagons and mules which belong to the *real hacienda*, and has left the latter in the country with no defense whatever, in manifest danger inasmuch as the heathen have entered our settlements, that the latter will

carry off the mules and kill the muleteers.”²⁷ The evils outlined by Fray Juan Ramírez, which were certainly not peculiar to the administration of López de Mendizábal, deserve serious consideration in a study of the causes of the Pueblo Revolt of 1680, for ensuing famines and Apache raids reduced the population of the settlements and the number of horses and cattle, and gave the Christian Indians much cause for dissatisfaction with the Spaniards. Diego de Peñalosa was questioned concerning the Indians whom Mendizábal held as slaves. “He said that they were not property, for the audiencia of Guadalajara has commanded that Indians shall not be sold or enslaved, and has declared them free, ordering that all those whom Don Juan Manso and Don Bernardo had sold in El Parral, or whom the governor had sold in Sonora, should be placed at liberty, and that those who had bought them should demand the price from the sellers. [He mentioned] reports . . . in which it was shown that Don Bernardo had sold seventy or eighty Indians.”²⁸

Relations with the Apaches became more acute during the 1660's. Even so, some Piros were so discontented with their lot under the rule of the Spaniards, that they conspired with the Apaches, as during the administration of Governor Villanueva, 1665-68, when five Spaniards were killed at Senecú. By 1669 the situation was so bad that Fray Bernal wrote, on April 1 of that year, “. . . this kingdom . . . is nearly exhausted from suffering two calamities which were enough to put it out of existence, as it is even now hastening to its ruin. One of these calamities is that the whole land is at war with the widespread heathen nation of Apache Indians, who kill all the Christian Indians they can find and encounter. No road is safe; everyone travels at risk of his life, for the heathen traverse them all, being courageous and brave, and they hurl themselves at danger like a people who know no God nor that there is any hell. The second misfortune is that for three years no crops have been harvested.

27. C. W. Hackett, *op. cit.*, iii, 186-7.

28. *Ibid.*, iii, 262.

In the past year, 1668, a great many Indians perished of hunger, lying dead along the roads, in the ravines, and in their huts. There were pueblos (as instance the Humanas) where more than four hundred and fifty died of hunger. The same calamity still prevails . . ."²⁹ Apache incursions caused the abandonment of the Zuñi pueblo of Hawikúh in 1670. Fray Francisco de Ayeta outlined the disasters of the next few years, in a petition for aid in 1679. "It is public knowledge that from the year 1672 until your Excellency adopted measures for aiding that kingdom, six pueblos were depopulated—namely, that of Cuarac, with more than two hundred families, that of Los Humanas with more than five hundred, that of Abó with more than three hundred . . . that of Chililí with more than one hundred, Las Salinas with more than three hundred—restored, as has been said—, and Senecú, both of these last being frontiers and veritable keys to those provinces."³⁰ Thus, because of Apache raids, drouths, and famines, the Salinas pueblos, as well as others, were deserted during the turbulent decade preceding the Pueblo uprising of 1680.

Fray Francisco de Ayeta, *procurador general* and custodian of the provinces of New Mexico after 1674, took up the struggle to save the province from the imminent destruction by the Apaches. He accompanied one wagon train of men, arms, munitions, and horses to New Mexico in 1677, and then returned to Mexico City to petition for more assistance. His second train was nearing the Rio Grande in 1680 when disaster struck the New Mexican settlements. The pueblo Indians, allied with the Apaches, had snapped the last vestiges of the flimsy Spanish control, and the surviving Spaniards and their allies were forced to retreat toward El Paso del Norte.

Thus, the Spanish colonization of the Southwest proceeded from the very beginning under the cloud of Apache terror. Once the Apaches perfected mounted warfare, their

29. *Ibid.*, iii, 271-2.

30. *Ibid.*, iii, 298.

opposition to the Spaniards became more destructive, because they were able to strike at undefended settlements and ranches over a wide area, and then to flee to mountain strongholds where pursuit was extremely hazardous if not impossible. The fourth century Europeans must have felt no greater fear of the Huns of Attila than that inspired in the Spaniards and pueblo Indians by the Apaches who, like the Huns, "were fiercer than ferocity itself." The whitened bones of unfortunate travellers which marked New Mexico's trails, the smoke-scorched foundations of lone ranch houses, and the crumbling walls of deserted pueblos and missions presented mute evidence of the terrors that awaited those who dared to make their homes in Apachería.

TROUBLOUS TIMES IN NEW MEXICO
1659-1670

By FRANCE V. SCHOLES

(Continued)

CHAPTER IX

PEÑALOSA VS. POSADA

I

THE EMBARGO of the property sent by Governor Peñalosa to New Spain in the autumn of 1662¹ had serious repercussions in New Mexico. It proved to be the parting of the ways in the relationships of the governor and the custodian, Friar Alonso de Posada. The former abandoned whatever friendly feeling he still had for the prelate, and during the year 1663 he adopted an attitude of hostility that finally culminated in the unprecedented action of the arrest of Posada at the end of September of that year.

News of the embargo reached Santa Fé on December 25, 1662, when a messenger arrived from Parral bearing dispatches and copies of the documents relating to the seizure of the property by the ex-governor Juan Manso on orders issued by Posada.² Receipt of these reports created a sensation. According to Posada, the governor considered sending certain soldiers to effect his arrest, but was dissuaded by the advice and counsel of Tomé Domínguez de Mendoza.³ Instead, he sent a sharply worded complaint to the prelate, asking for confirmation of the news.⁴ We have no record of Posada's reply.

1. See Chapter VI.

2. The news was brought by Juan Varela de Losada, who had charge of the livestock that had been sent to Parral.

3. Posada to the Holy Office, Santo Domingo, June 7, 1664. *Proceso contra Peñalosa*.

4. Peñalosa to Posada, Santa Fé, December 25, 1662. *Ibid.*

The governor's attitude was also made clear in a letter sent to Posada on December 27, 1662, by Friar Gabriel de Torija, a resident in the convent of Santa Fé. He wrote: "I have felt great pain in my soul because of having seen the governor express bitterness and anger against Your Reverence. I withdrew from the palace because I heard such evil sounding things [spoken] against the chaste person of Your Reverence. Among such [things] His Lordship said that it was shameful that a creature like Your Reverence should act in opposition to his person . . . It is said that he is preparing reports, [although] I do not know what they contain."⁵ Two days later Torija sent another letter with further news of the governor's activities.⁶

Torija's loyalty to the custodian was not shared by all of the friars in Santa Fé. On December 25 Friar Miguel de Guevara, who had been a close friend and partisan of Peñalosa for some time, sent Posada an extremely outspoken letter criticizing the Parral embargo. In this communication, Guevara expressed doubt whether Posada had possessed authority to embargo the property, without explicit orders to do so and questioned whether the prelate was "a competent judge before whom the decrees in favor of Don Bernardo could be presented." Governor Peñalosa, "as supreme head in this kingdom and legitimate and immediate judge of all temporal cases," should have been notified, and if he had failed to act, then the decrees could have been presented to other authorities, provided there had been specific instructions to do so. "But even in such case, I am not sure that Your Reverence would have been a competent judge, because Your Reverence is an ecclesiastical judge and commissary of the Holy Office of the jurisdiction of New Mexico, but it does not appear that you are [such a judge and commissary] in the [jurisdiction] of Parral; and since El Paso and La Toma del Rio [are in] the jurisdiction of Parral, I do not know how Your Reverence, even if you had special instruc-

5. Torija to Posada, Santa Fé, Dec. 27, 1662. A. G. P. M., Inquisición 598.

6. Torija to Posada, Santa Fé, Dec. 29, 1662. *Ibid.*

tions, could make the embargo outside your jurisdiction.”⁷ Guevara admitted that he did not understand legal technicalities, but stated that “what disturbs me is that we should give cause for a gentleman of the qualities of Don Diego to do what he does not wish to do, despite his nobility, courtesy, and great affection for our Holy Order.”⁸

On the following day, December 26, Guevara addressed a more caustic letter to Friar Salvador de Guerra, the prelate’s secretary. He said that he regretted that at the very moment when it had appeared possible to regain what had been lost as the result of events of the preceding years (refer-

7. The jurisdictional status of the El Paso area at that time is not entirely clear. The Manso mission was administered as part of the custodia of New Mexico, and the governors of the province were frequently called upon to assist and protect the mission. Capt. Andrés López de Gracia, former resident of New Mexico proper, was the first *alcalde mayor* of the El Paso area, and there is some evidence that he was appointed by Governor López de Mendizábal. Hughes, *The Beginnings of Spanish Settlement in the El Paso District* (Berkeley, 1914), p. 311. In 1662 ex-governor Manso alleged, in proceedings against López de Mendizábal, that the latter had made a certain deal with Francisco Ramírez, son-in-law of Capt. Andrés López de Gracia, “para que saliese destas provincias con toda su casa y familia y ganados y se fuesse a bibir a la toma del Río con el dho. su suegro.” A. G. P. M., Tierras 3286. La Toma was in the El Paso area a short distance from the Manso mission. The phrase “saliese destas provincias” is rather indefinite, but may be interpreted as meaning that Ramírez was to leave the jurisdiction of New Mexico. In the same year Posada and his secretary, Friar Salvador de Guerra, accompanied the mission supply train as far as La Toma. In letters of Posada and Guerra to the Holy Office, dated November 28, 1662, we find these statements: (1) “en este estancia de nra. Sra. de guadalupe toma de el Río de el norte y Jurisdiccion de el Parral;” (2) “la toma del Rio del Norte que es donde se acava la Jurisdiccion del nuebo Mexico;” (3) “. . . hasta este paraje de la thoma . . . ques donde se acava la Jurisdiccion del nuebo mexico y enpiesa la de la nueba viscaia.” A. G. P. M., Tierras 3283. In a declaration before the Holy Office, April 19, 1663, López de Mendizábal referred to Posada’s meeting with Francisco Domínguez, who brought the *real provisión* which Posada used as authority to justify the Parral embargo, and he stated that inasmuch as Posada was then on the south bank of the Río Grande, he was “fuera de su jurisdicción.” *Ibid.* In 1663 Capt. Andrés López de Gracia was ordered by the governor of Nueva Vizcaya to move to Casas Grandes, where he later served as *alcalde mayor*. Hughes, *op. cit.*, pp. 311-312; Museo Nacional, Mexico, *Asuntos*, vol. 242, f. 191. In a letter to the governor of Nueva Vizcaya, August 10, 1667, he referred to the case of the killing of a mulatto servant of Friar García de San Francisco at El Paso, and stated that he would go to investigate, thus implying that the area was within the jurisdiction of Nueva Vizcaya. Biblioteca Nacional, Mexico, MSS, Leg. 1, doc. 28. On the other hand, there is evidence that Diego de Trujillo, who held office as *alcalde mayor* of the El Paso area for a short time after Capt. Andrés López de Gracia, was appointed by the “government of New Mexico.” Hughes, *op. cit.*, p. 312. For a discussion of the jurisdictional status of the El Paso area in 1680 *et seq.*, see Hughes, *op. cit.*, ch. 8.

8. Guevara to Posada, Santa Fé, Dec. 25, 1662. A. G. P. M., Inquisición 598.

ring, of course, to the unhappy events of López de Mendizábal's administration), "our Father Custodian has taken measures to disturb the peace of this kingdom and to upset the noble serenity of the governor whom Heaven was pleased to give us in such a stormy time." Despite the fact that Posada, as prelate, had been the person who had greatest cause to appreciate what Peñalosa had done to honor and assist the Franciscans, he had shown the governor discourtesy and ingratitude. "God does not wish that there should be peace and quiet in this kingdom as much as the devil does!"⁹

Not content with these bitter criticisms of his prelate, Guevara sent Posada another letter on January 2, 1663, in which he stated that if the news of the embargo proved to be true, "it will be one of the greatest misfortunes of this kingdom, [as well as] for the Order and reputation of Your Reverence; for it will be necessary for those who wear the habit of St. Francis to explain to their superior prelates such uncalled for, ungrateful, and undeserved acts toward a person like Don Diego, who, in all things and in behalf of all, seeks and has striven for the peace and advancement of this kingdom, the good name of the sons of St. Francis, the veneration of the sacerdotal estate, and, above all, the establishment of the faith, so abased in these realms."¹⁰

Guevara was not alone in criticizing his prelate, for Friar Nicolás de Freitas also wrote to him in much the same terms. Freitas had maintained close and friendly relations with Peñalosa for some time, had served as his chaplain, and had become his personal companion and confidant. In a letter dated January 2, 1663, he called Posada's attention to the fact that the *real provisión* of the *audiencia*, by virtue of which Posada had given orders to embargo the property at Parral, had actually been addressed to Peñalosa, and asserted that the custodian's action had confirmed "what the biting tongue of Mendizábal said in his report, in which he affirmed that the friars of this land do not obey the king."

9. Guevara to Guerra, Santa Fé, Dec. 26, 1662. *Ibid.*

10. Guevara to Posada, Santa Fé, Jan. 2, 1663. *Ibid.*

Moreover, even if Posada had possessed jurisdiction, the embargo was unjustified, "because I can affirm under oath that I have seen everything that belongs to Mendizábal in the possession of the depository; a fact that causes me great confusion, when I hear that Your Reverence embargoed as property of Mendizábal the goods of Pedro de Moya."^{10a} He continued:

What will they say in Mexico when they hear it said that the friars in New Mexico are enemies of the peace, that they cry out so often, "Peace, Peace," *et non erat pax*? What will they say when they see that we give cares in exchange for honors, losses in exchange for property, and in return for Don Diego's friendly attentions we rewarded him with offenses? What will our Very Reverend Father Commissary General say when he hears the things that are told of our ingratitude? What bliss it has created in our rivals, what joy to our enemies! What governor will aid us when he hears that we showed ourselves most opposed to the one who was most inclined toward us? Look here, our father, for the love of God, let Your Reverence consider that to all the holy friars who assist in this wilderness, and to me more than all of them, the cost of peace was much war, that of quiet, many vexations, and that in order to attain it, I found myself among the arrows of the enemy and in the hands of barbarism. And thus that which cost so much is lost for so little. Your Reverence, what reason is left us for hope, for pleasure, for peace, for tranquility? Pardon me, Your Reverence, because deep feeling has not allowed me to be silent, nor has sorrow been able to prevent this heart-felt complaint, which not only I, but the entire custodia and the whole land, are sensible of.¹¹

10a. In January, 1663, a probanza was drawn up to prove that Pedro Martínez de Moya, a member of Peñalosa's entourage, was owner of the Parral shipment. The witnesses who gave testimony were all associates and partisans of the governor. A. G. P. M., Tierras 3283. In testimony before the Holy Office, Peñalosa later admitted that all of his property was held "in the name" of Martínez. *Proceso contra Peñalosa*.

11. Freitas to Posada, Santa Fé, Jan. 2, 1663. A. G. P. M., Inquisición 598.

The letters of Guevara and Freitas were undoubtedly inspired by the governor. Friar Bernardo López de Covarrubias testified that Peñalosa actively sought to have "certain friars follow his action and write [letters]," and that Freitas became such an impassioned advocate "that the said Father went about continually inciting the said governor's anger against the said ministers of the Holy Office, telling him that the said embargo was null and void."¹² Moreover, during his hearings before the Holy Office three years later, Peñalosa admitted that he had read the letters of Freitas and Guevara before they were sent to Posada, and that he asked other friars to write complaints to Posada's superior prelates in Mexico City.¹³ On January 3, 1663, the custodian sent the letters of Torija, Guevara, and Freitas, together with a covering dispatch, to the Holy Office, in order to inform the Inquisitors of the governor's attitude.¹⁴

Peñalosa lost no time in making plans to contest the legality of the embargo. Dispatches and other papers were hastily prepared, and sometime in January, 1663, Tomás Domínguez de Mendoza was sent to Mexico City to institute proceedings to have the embargo revoked. Domínguez was unsuccessful in this mission, and in the autumn of the same year he returned to New Mexico.

II

During the spring and summer of 1663 Peñalosa's attitude toward the custodian became increasingly unfriendly. It appears that Posada, realizing the delicacy of the situation, avoided personal contact with the governor and busied

12. *Proceso contra Peñalosa*.

13. *Ibid.*

14. The letters were received by the Holy Office in December, 1663. In a formal *parecer* addressed to the Inquisitors, the *fiscal* stated that the letters of Guevara and Freitas manifested hostility, or at least lack of respect, for the Inquisition, inasmuch as it was not the function of such friars to question the legality or wisdom of Posada's actions. Moreover, he contested Guevara's view that Posada had no right to exercise authority while he was in the jurisdiction of Parral, for the order authorizing the embargo could be dispatched "in any place whatsoever in which the carts were found." A. G. P. M., Inquisición 598.

himself with affairs of mission administration. But Peñalosa had many other visitors, both lay and ecclesiastical, and with these persons he discussed the embargo on numerous occasions, expressing his indignation in bitter terms.

He sought to maintain the fiction that the property of López that had come into his possession was still intact, and to this end he exhibited to his visitors various items of goods, such as pieces of silver plate, writing desks, piñon nuts, and textile products, that were stored at the Casa Real. To some he also showed the box containing the silver bullion brought from Sonora by Granillo in 1660.¹⁵ Although he must have realized that these tactics were not convincing, in view of the general knowledge that other parts of López' property had been sent to Parral, he maintained a brazen attitude, indulging in dangerous speech concerning the Inquisition and making threats against Posada and the prelate's secretary, Friar Salvador de Guerra.

According to the testimony of several witnesses, he characterized the Inquisitors as "puppets in bonnets" and as "petty clerics of little importance." It was also reported that he asserted superiority over the Holy Office and other ecclesiastical tribunals, because of his position as representative of the Crown. Although he later denied many of these charges, the burden of the evidence clearly indicates that he not only expressed lack of respect for the Holy Office, but made statements showing that he had an exaggerated notion of his position and authority as governor.¹⁶

Several persons, lay and ecclesiastical, testified that the governor also used all manner of derogatory speech concerning Posada and Guerra, and that he berated both friars and laymen who remained loyal to the custodian or maintained friendly contact with him. He composed satires and rude verses concerning Posada and other Franciscans, some of which he read to visitors and members of his household. From time to time he talked about expelling Posada from the

15. *Proceso contra Peñalosa.*

16. *Ibid.*

province, and it was alleged that he even made threats against the prelate's life.¹⁷

This unhappy state of affairs was aggravated in the autumn of 1663 by a dispute over the question of ecclesiastical sanctuary. For reasons that are obscure Peñalosa ordered the arrest of Don Pedro Durán y Chávez, who lived in the Río Abajo area, and his nephew Cristóbal. On August 23, 1663, a detachment of soldiers who were taking the prisoner to Santa Fé for trial arrived at the pueblo of Santo Domingo where they planned to spend the night. The guards carelessly left Don Pedro alone for a short time, and the latter, who was in irons, persuaded an Indian servant to carry him across the plaza to the pueblo church, where he immediately claimed sanctuary. When the governor was informed of what had happened, he gave orders for his secretary, Juan Lucero de Godoy, to proceed to Santo Domingo and seize the prisoner. On Sunday, August 26, Lucero and the soldiers, who had kept a guard over the convent during the intervening three days, violently removed Durán and took him to Santa Fé where he was incarcerated in a cell in the Casa Real.¹⁸

News of this event was immediately dispatched to Posada who was then in residence at the convent of Pecos. Instead of instituting legal proceedings at once against Peñalosa and the soldiers for this violation of ecclesiastical immunity, the custodian thought it would be more prudent, in view of the general situation, to write to Peñalosa, "with entire urbanity, humility, and modesty," asking him to return Durán to the Santo Domingo church. This letter was sent on August 27. In his reply Peñalosa refused to grant the custodian's request and sought to justify and excuse his action, citing various decrees and precedents concerning procedure in cases of ecclesiastical asylum. The guardian of Santo Domingo also made representations to the governor, but without success.¹⁹

17. *Ibid.*

18. Sworn testimony of various witnesses and *Petición e informe*, of Friar Alonso de Posada, May 16, 1664. *Proceso contra Peñalosa*.

19. *Petición e informe*, May 16, 1664.

After receiving Peñalosa's unsatisfactory reply, Posada went to Santo Domingo where he made an informal inquiry concerning the Durán case to satisfy himself that the right of asylum had been violated. He then sent Peñalosa another letter requesting return of Durán to Santo Domingo. To this communication, which was received in Santa Fé on September 16, the governor made no reply. After waiting a few more days, the custodian instituted formal legal proceedings by taking sworn testimony of several witnesses who had been present when Durán was violently removed from sanctuary. Having received this testimony, the prelate, on September 27, issued the *carta monitoria* calling upon Peñalosa, under pain of excommunication, to return the prisoner within twenty-four hours after notification. In case the governor held that he had just cause not to comply with this demand, he should have his attorney present a formal statement to that effect before the prelate and permit the case to proceed according to the usual judicial forms; otherwise, if the prisoner was not released within the stated period, the prelate would invoke the censures with the full rigor of the law.²⁰

It was still Posada's desire, however, to effect a friendly settlement of the dispute without imposing ecclesiastical censure, and to this end he selected Friar Diego de Parraga for the delicate task of negotiating with the governor. Parraga was instructed to go to Santa Fé and make a direct appeal to Peñalosa to release Durán and thus avoid legal proceedings. If the governor, after two appeals of this kind, remained adamant, then Parraga was authorized to make formal notification of the *carta monitoria* drawn up on September 27. Having taken this action, Posada returned to Pecos to await developments.

Taking a lay brother, Friar Blas de Herrera, as his companion, Parraga proceeded to Santa Fé on the afternoon of Friday, September 28. At the convent he was informed that Peñalosa was apparently in no mood for compromise, be-

20. *Ibid.*

cause that very day he had made threats that any representative of the prelate who came to present formal demands would be put in irons. The next day (September 29) when Parraga and Herrera called at the Casa Real, they referred to this threat, and according to Herrera the governor grimly exhibited sets of irons and left no doubt as to the use he planned to make of them. Peñalosa's version of this incident states, however, that the friars came in jesting about the irons, and that he, in similar vein, pointed to three or four pairs in one corner of the room. If the interview started with jest, as may be true, discussion of the business at hand revealed that Peñalosa was determined to resist any pressure, friendly or otherwise, to bring about Durán's release. According to the governor's own account of the conference, he urged his visitors to intervene with the custodian to prevent his excommunication. Parraga's version merely states that "seeing that the said governor and captain general Don Diego de Peñalosa Briceño showed himself stern in discussing the said problem, I tried to find a remedy, writing to . . . Posada . . . describing the situation and requesting that if it were possible the matter should be dropped, since to continue, according to indications, would cause greater scandal." Parraga's letter was written on Sunday, September 30, and he planned to send it to Pecos by messenger on the following day. But when Monday came Parraga learned that the governor, instead of waiting to see what the prelate's next move would be, had already embarked upon a bold course of action.²¹

Firm in his stand not to negotiate or participate in litigation regarding Durán's release and equally determined not to submit to excommunication, Peñalosa decided that the only solution was to expel the custodian from the province. After the interview with Parraga and Herrera on September 29, he discussed his plan with Father Freitas and the lieutenant-governor, Pedro Manso de Valdez, who encour-

21. Declarations of Friar Blas de Herrera, Dec. 14, 1663, and Friar Gabriel de Torija, June 3, 1664; *Petición e informe*, May 16, 1664; testimony of Peñalosa, Dec. 5, 1665. *Proceso contra Peñalosa*.

aged him to carry it out. Toward midnight of September 29-30, he went to Freitas' room (Freitas was living in the Casa Real), and "asked him to consider well, as the learned man that he was, whether he could do what they had discussed regarding the expulsion of the said Father Custodian." Freitas promised to give him a written opinion (*parecer*) approving the plan, and said that he would get Friar Diego de Santander, "who was a jurist," to sign it. There is also evidence that on the evening of September 29, and again the following day, Peñalosa visited the Santa Fé convent, where he made bold threats against the custodian.²²

III

On Sunday afternoon, September 30, Peñalosa summoned the lieutenant-governor and a detachment of soldiers and set out for Pecos, where Posada was in residence. Arriving about nine o'clock in the evening, he was received in a friendly manner by the custodian, who immediately gave orders to have chocolate prepared for his guests. The governor lost no time in making it known that he had come on a serious errand, making thinly veiled threats, but Posada maintained his composure and even facilitated search of his rooms by the soldiers. Peñalosa finally remarked that there were certain questions that he wished to discuss in private, and asked Posada to walk with him into the convent cloister. The following account of their conversation is taken from a long deposition made by the custodian a few months later—

And thus we went out to the cloister, and after we had gone out, he said to me with fury: "Father, can the custodian excommunicate the governor and captain general of this kingdom?"

To which I replied: "Sir, that depends on the [nature of] the case, for if it is one of those contained in canon law, yes, he can [do so], because then the ecclesiastical judge does no more than use and exercise through his office what is ordained in

22. Declaration of Friar Gabriel de Torija, June 3, 1664, and testimony of Peñalosa, Dec. 5, 1665. *Ibid.*

the [canon law] and what the Supreme Head of the Church commands.”

To this the said General Don Diego de Peñalosa replied: “If the custodian excommunicated me, I would hang him or garrote him immediately, and if the Pontiff came here and wanted to excommunicate me or actually did so, I would hang the Pontiff, because in this kingdom I am the prince and the supreme magistrate, and there is no one who may excommunicate the prince and supreme magistrate.”

I replied: “Sir, it is not necessary to bring the person and holiness of the Pontiff into such matters, for it is better to leave His Holiness on the supreme throne he occupies, with the due authority and respect which all faithful Christians must render to him and with which they regard his person. As for hanging him, he is absent; I am here for Your Lordship to hang, and I shall not be the first friar or priest to die in defense of Our Holy Mother the Roman Catholic Church.” . . .

And the above-mentioned General Don Diego, continuing with his replies and propositions, said to me: “Why does Your Reverence have pretensions of excommunicating me for having ordered Don Pedro de Chávez taken from the church of Santo Domingo and held prisoner?”

I replied: “Sir, as an ecclesiastical judge I am obliged to defend the immunity of the Church, and because terms had not been reached for proceeding in the matter judicially. I wrote two letters of supplication to Your Lordship, who, up to now, is not excommunicated nor declared as such. And with regard to the case concerning immunity, you may state through your attorney, proceeding in legal form, the reasons you had for taking [Durán y Chávez] from [sanctuary]. And if the reasons of Your Lordship were sufficient basis for doing so, there is no controversy, because the case is one of those contained in the law, as will be seen in the second part of the Decretals, in *Quest. 4, Cap. 8, 9, and 10*. And if the case is carried to the use of force it is not necessary to hang the Pontiff of the Roman Catholic Church, for by hanging me the affair may be concluded.”

And I replied in this way because he had stated to me for the second time the preceding propositions that he would hang the Pontiff. And to this the said General Don Diego de Peñalosa replied, raising with his right hand the cape and cloak he was wearing in order to show me the pistols he had in his belt, "Now then, we will consider this affair and Your Reverence and all the other custodians of New Mexico will learn what a governor can do; and therefore I order Your Reverence in the name of the king to go with me to the Villa where Your Reverence will see the difficulties cleared up."

I replied: "Sir, these matters need little action, if they are considered with prudence and judgment. There are many authors who clarify the manner in which ecclesiastical and secular judges must deal with them, and therefore neither contention nor anger is necessary."²³

After this fruitless argument, they returned indoors, and after further discussion Peñalosa announced that he wished the custodian to accompany him to Santa Fé that very night. Although Posada protested that the hour was late, the governor was adamant, and about midnight they set out for the villa.²⁴

The next morning, when they arrived in Santa Fé, Posada remarked that he would go to the convent, but the governor firmly insisted that he should have breakfast first at the Casa Real. Up to this point Peñalosa had not revealed his true purpose in bringing the prelate to Santa Fé, but this move, which was obviously designed to prevent Posada from setting foot on ecclesiastical ground, was a clear indication of his intention. But Posada realized that he had no choice, and he accepted the invitation. Peñalosa was also playing for time at this point, for during the night he had sent two soldiers ahead with orders to remove Durán and his nephew from the room in which they were imprisoned in the Casa Real and to have the room prepared for another occupant, and he wished to make sure that these instructions had been

23. *Petición e informe*, May 16, 1664.

24. *Ibid.*

carried out. After breakfast Posada again remarked that he would go to the convent, and the governor finally informed him that he would be held in the Casa Real and conducted him to the room so recently occupied by the prisoner whose release he was seeking to effect. Guards were placed at the door of the cell, which faced the patio, and at the entrance of another room connecting with it, and orders were given to permit no one to communicate with the prelate without the governor's consent. Two small field pieces were placed in position as a further precaution to prevent escape of the prisoner.²⁵

News of the custodian's arrest spread rapidly. Fearing a repetition of events of the Rosas period, when most of the friars were expelled from Santa Fé and the Blessed Sacrament was brought to the Casa Real, the guardian of the Santa Fé convent, Friar Nicolás Enríquez, closed the church and had the Host consumed. Similar action was taken by the clergy in some of the missions. Letters were also dispatched to the Holy Office informing the Inquisitors of what had occurred.

For nine days (October 1-9) Posada was held in confinement at the Casa Real. During this time the governor and prelate had many heated arguments concerning the authority of the latter as ecclesiastical judge of the province. Posada cited the privileges conferred by the papal bull *Exponi Nobis* of Adrian VI, the so-called *Omnimoda*, but Peñalosa insisted that these privileges had been revoked. Again and again the governor insisted that as representative of the Crown, he exercised superior authority in the province and that he would permit no prelate, bishop, or archbishop to institute legal action against him or subject him to ecclesiastical censure. He also accused Posada of inciting rebellion against civil authority. It was necessary, therefore, for the good of the province and the preservation of public peace to expel the prelate from the province.²⁶

25. *Petición e informe*, May 16, 1664, and testimony of various witnesses. *Proceso contra Peñalosa*.

26. Declaration of Friar Blas de Herrera, Dec. 12, 1663, and *Petición e informe*, May 16, 1664. *Ibid.*

From time to time friars from the Santa Fé convent were permitted to see the custodian, but always in the presence of some member of Peñalosa's entourage. Posada counselled his associates to refrain from any overt act, and to give the governor no excuse for hostile action. He also averted a serious dispute arising out of the governor's demand that the Santa Fé church should be reopened. The guardian of the convent had resisted Peñalosa on this point, because he believed that the governor and the soldiers who had participated in Posada's arrest had automatically incurred excommunication. But inasmuch as Peñalosa was insistent, Posada instructed the friars to reopen the church and admit the governor to mass. "I did this in consideration of the fact that the Church on certain occasions is accustomed to tolerate things that are necessary in order to avoid greater evils."²⁷

Peñalosa realized that it was necessary to build up some sort of legal case against the custodian before carrying out his plans, and an effort was made to find witnesses who would testify that Posada had infringed on the rights of civil authority and jurisdiction and had incited revolt. But the governor was unable to find more than one or two persons who would give testimony against the prelate, and within a few days it was apparent that the scheme had failed.²⁸

Consequently, on October 6 Peñalosa took action to bring about a face-saving settlement of the entire dispute. Discreet suggestions were made that some of the elder friars should make an appeal for the custodian's release, and thus give the governor an opportunity to grant their request as a special act of favor to the Order. When this method failed, Peñalosa wrote an urgent letter to Friar Joseph de Espeleta, then at Isleta, stating that "he was troubled and at no time would he appreciate a visit more than at present." On October 8 Espeleta and Friar Tomás de Alvarado, a former pre-

27. *Petición e informe*, May 16, 1664.

28. *Ibid.*

ate, arrived in Santa Fé, and in conference with the governor they worked out a compromise. It was agreed that all the papers that had been drawn up since the custodian's arrest should be placed in a sealed package, which would not be opened until after Peñalosa had stood *residencia* at the end of his term of office. Moreover, both Posada and the governor would agree not to mention the affair again or give any account of it to any person outside the province or to the authorities, civil and ecclesiastical, in New Spain. Under these conditions, Peñalosa promised that he would free the prelate and henceforth be his friend.²⁹

These terms were immediately communicated to Posada. At first he refused to consider them, because they represented a complete capitulation to the governor on the major issues at stake in the entire controversy. Durán was to be left in the governor's hands, and no censures of any kind were to be imposed for the violation of sanctuary or for the arrest of the custodian. But Espeleta and Alvarado urged the need of an immediate settlement, in view of the isolation of the province and the hostile attitude of the governor, and Posada finally instructed them to consult with the other friars in Santa Fé and bring back a report of their views. The conference at the convent apparently supported the views of Espeleta and Alvarado, and Posada felt constrained to accept the terms of settlement. He was informed, however, that Peñalosa expected him to take formal oath to fulfill the bargain. To the person who brought this message Posada stated that although he would take oath, since the friars had already agreed to it, he would do so verbally and without any intention that it was binding.³⁰

On the afternoon of October 9, Peñalosa, Espeleta, Alvarado, and several other persons gathered in the custodian's cell in the Casa Real, and the agreement was ratified. Papers relating to the incident were sealed in a specially

29. *Ibid.*

30. Declaration of Friar Tomás de Alvarado, Nov. 12, 1663, and of Friar Nicolás Enríquez, May 15, 1664; *Petición e informe*, May 16, 1664. *Proceso contra Peñalosa*.

marked package and delivered to Peñalosa who said that after his *residencia* he would burn it. The governor and prelate then took oath in the hands of Espeleta to keep the agreement, but Posada added the qualifying phrase, "insofar as possible." Later in the day Peñalosa released his prisoner and accompanied him to the gateway of the Santa Fé convent. The next day Posada left for Santo Domingo.³¹

The affair of September 30-October 9, 1663, constitutes a unique incident in the troubled annals of New Mexico prior to the Pueblo Revolt of 1680. In the past the custodians had frequently subjected the governors to ecclesiastical censure, and in a few outstanding cases they had been responsible for more drastic action against a provincial executive. Thus in 1613 Friar Isidro Ordóñez had seized Governor Pedro de Peralta and held him in jail for several months. The arrest and trial of López de Mendizábal by the Holy Office was the result of representations made by the friars. But the Posada incident is the only recorded case of the arrest of a custodian by a governor. Peñalosa had boasted that he would reverse the older tradition, and he made good his threat.

The failure of the governor to carry out his bold plan to expel the prelate indicates, however, that he had not cast off all fear of the power of the Church and the Holy Office. He realized that he was already involved in difficulty with the Inquisition because of the Parral embargo and other events of the preceding year. Moreover, it was inevitable that reports of Posada's arrest would eventually reach Mexico City, and that sooner or later the Holy Office would call him to account for such a flagrant violation of the privileges and immunities of its local representative. Expulsion of the prelate would provide further cause for complaint, and would justify more drastic punishment when the day of reckoning finally came. Consequently, it was wiser to abandon his plan and to negotiate a compromise. The agreement of October 9 was merely a truce, but it served to tie the prelate's hands for the present, at least so far as public

31. *Ibid.*

action was concerned, and it gave the governor time to plan his next move and to take appropriate action to guard his own personal interests.

IV

In October or November Tomé Domínguez de Mendoza returned to New Mexico with the news that his mission to Mexico City had been unsuccessful. Pending receipt of further information and clarification of the situation, the Holy Office had suspended all litigation over the Parral embargo. At the same time Domínguez undoubtedly informed the governor that his brother, Juan Domínguez de Mendoza, and other persons who had gone to Mexico in the autumn of 1662 had been summoned by the Holy Office to give testimony concerning New Mexican affairs. Juan Domínguez had also returned, perhaps in advance of Tomé, and he probably gave Peñalosa some warning of the Inquisitors' attitude.

These reports indicated that the Holy Office intended to make a thorough investigation of the events of 1662, and that the governor faced the prospect of prolonged litigation, if not more serious trouble, with that tribunal. There was also a strong probability that the remainder of López' property still in his possession would be embargoed unless he took immediate action to dispose of it. Moreover, Peñalosa had reason to fear that if he remained in the province until the arrival of his successor, who was expected in 1664, he would have to face serious *residencia* proceedings. He knew that many citizens had grievances, and he could not be sure that the prelate would feel bound by his oath on October 9.

Taking all these factors into account, it was imperative that he should leave New Mexico as soon as the necessary preparations could be made. Departure of the governor without express authorization of the viceroy would be a serious matter. There is some evidence, however, that Peñalosa had already asked and received permission to leave for New Spain without waiting for the arrival of his suc-

cessor.³² Toward the end of 1663 he began to put his affairs in order and to make plans for the journey.

Peñalosa made his plans with considerable care. Numerous documents were removed from the local provincial archive and placed with his personal effects for shipment to New Spain. It was undoubtedly his purpose to prevent damaging papers from falling into the hands of his enemies, and also to secure possession of documents that could be used for his own defense in anticipated litigation in Mexico City. The brief inventory of these papers that was made in 1665 at the time of Peñalosa's arrest by the Holy Office lists many items that would be invaluable to historians of New Mexico in the seventeenth century, and it is hoped that someday they may be found.³³

Realizing that Posada had made full reports of the dispute over the *encomienda* revenues of the New Mexico soldiers arrested by the Holy Office in 1662, Peñalosa took action to refute the charge that he had appointed personal associates as *escuderos* for the *encomiendas* of Diego Romero and Francisco Gómez Robledo. Titles of *escudería* were now issued to Cristóbal Durán y Chávez and Juan Domínguez de Mendoza, and antedated to May 4 and 7, 1662, respectively.³⁴

32. When Tomé Domínguez de Mendoza went to New Spain in 1663, Peñalosa gave him certain funds, part of which were to be paid to a man in Mexico City as a fee for presenting a petition to the viceroy asking permission for the governor to return to New Spain. A. G. P. M., Tierras 3286. On April 10, 1664, Francisco de Valencia gave testimony before Posada in which he referred to Peñalosa's departure from the province, "con licencia que desia tenia del Virrey." *Proceso contra Peñalosa*.

33. Some of the most important items included in the inventory of Peñalosa's papers made in 1665 are: (1) *Instrumentos judiciales y caussas que se fulminaron en el Nuevo Mexico contra algunos vezinos* (27 piezas); (2) *Libro de Governasion del Nuevo Mexico del Tiempo del Sr. Don Juan de Eulate* (49 folios); (3) *Autos criminales contra las perssonas de Diego de la Serra, Don Fernando de Chabes, y los dcmas conthenidas en ellos, condenados a muerte y por traidores por la fuga y delitos que contra los sussodichos contienen, 1643*; (4) *Vissita general del Nuevo Mexico y Padrones de Todas las almas xptianas* (24 piezas); (5) Legajo of 219 *instrumentos*, of which nineteen were *causas de oficio y a pedimento de partes*; (6) *Autos sobre lo acaesido en lo de los Chabes y Custodia del Nuevo Mexico, Año de 1663* (apparently the *pliego* formed and sealed on October 9, 1663); (7) *Libro de gobierno* of Peñalosa's term of office. The inventory also lists many other *legajos*, briefly described as containing letters, petitions, titles, etc., of which there were several hundred. A. G. P. M., Tierras 3286.

34. Declaration of Cristóbal Durán y Chávez, March 9, 1664. *Proceso contra Peñalosa*. Title of *escudería* for Juan Domínguez de Mendoza, May 7, 1662. Biblioteca Nacional, Madrid, MS. 19258.

His choice of Durán and Juan Domínguez is not without significance. As noted above in section II, Cristóbal Durán y Chávez had been arrested by the governor in August, 1663, and he was later sentenced to certain penalties. His uncle, Don Pedro, whose violent removal from sanctuary at Santo Domingo had caused the bitter quarrel with Posada, was later freed without penalties at the request of Tomé Domínguez de Mendoza.³⁵ Juan Domínguez, brother of Tomé, had been a partisan of López de Mendizábal and had participated in the Parral embargo. The choice of Cristóbal Durán and Juan Domínguez as *escuderos* for the Romero and Gómez *encomiendas* indicates that Peñalosa was motivated by a desire to appease persons who had been hostile to him in the past and who might be expected to file charges against him during *residencia* proceedings.

Sometime in November Peñalosa attempted a maneuver designed to strengthen his hand in litigation over the Parral embargo. He sent word to Posada inviting him to come to Santa Fé and certify the property of López stored at the Casa Real. Although this invitation was made in the guise of a friendly gesture, it was merely an attempt to put the custodian on record that the property, or at least most of it, had not been sent to Parral and was still in Santa Fé at that time. But Posada refused to fall into the trap. He replied that if the governor had property that had belonged to López it was subject to embargo by the Holy Office, and that he would certify the goods only on condition that they should be turned over to a responsible person as depository, pending receipt of instructions from the tribunal in Mexico City.³⁶

But Peñalosa had no intention of losing the profit he hoped to derive from this property. Most of the goods were packed in the wagons that were made ready to take the governor's effects to New Spain. A few items were sold to local citizens. Part of the livestock seized in 1662 or bought at the fictitious auctions had been sent to Parral. The re-

35. *Proceso contra Peñalosa*.

36. Declarations of Friar Blas de Herrera, Dec. 14, 1663, and Friar Nicolás Enríquez, May 15, 1664. *Ibid.*

mainder was now turned over to Diego González Lobón who was apparently preparing to drive herds of stock to Parral.³⁷ It would be convenient, however, to be able to pretend that part of the property was still in deposit in New Mexico, and to this end he notified Pedro Lucero de Godoy that he had been chosen as depository. When Lucero appeared to receive the goods, he found that what Peñalosa planned to turn over was "trash," and at first refused to "dirty up my house" with it. He eventually accepted certain items worth only a few pesos.³⁸

Before leaving for New Spain, Peñalosa appointed Tomé Domínguez de Mendoza to serve as governor *ad interim* until the arrival of his successor. Finally, in February or March, 1664, he set out on the long journey to Mexico City. On the way he met Juan de Miranda, the new governor, and turned over *vales* for 3500 pesos, representing debts owed him by citizens of New Mexico, authorizing Miranda to act as collector for the same.³⁹ The date of Peñalosa's arrival in Mexico City is not known, but it was probably sometime during the following autumn.

V

As early as July 12, 1663, Posada had started to take sworn testimony concerning the conduct of Peñalosa. The events of August-October of that year interrupted the investigation, and for some time thereafter he had to proceed with caution in order not to arouse the governor's suspicions. After the departure of Peñalosa for New Spain, he became more active and received the declarations of numerous persons, lay and ecclesiastical. By June 8, 1664, he had examined twenty-six witnesses who gave a mass of testimony concerning all phases of Peñalosa's activities. Copies of the declarations were sent to the Holy Office soon thereafter. During the next fifteen months several more

37. *Proceso contra Peñalosa*. Also declaration by Peñalosa, June 23, 1665. A. G. P. M., Tierras 3286.

38. *Proceso contra Peñalosa*.

39. A. G. P. M., Tierras 3286.

witnesses were examined. In the autumn of 1665 these declarations and the originals of those that had been sent off in the preceding year were transmitted to the Holy Office where they were incorporated in the bulky file of documents in the Peñalosa case.⁴⁰

Most of the evidence dealt with the procedure adopted by Peñalosa to acquire possession of López' property, the disputes between Peñalosa and Posada concerning the revenues of the encomiendas of Romero, Anaya, and Gómez Robledo, the governor's reaction to the embargo at Parral, the Durán case, and the arrest and imprisonment of Posada in September-October, 1663. Interspersed in this evidence were bits of information concerning other phases of Peñalosa's conduct which are summarized below.

(1) On his way to New Mexico in 1661, Peñalosa formed a liaison with a young woman in Parral, who accompanied him to Santa Fé and lived with him in the Casa Real. The governor made no pretense of trying to conceal this illicit relationship. On the contrary, he publicly accompanied his mistress to mass in the Santa Fé church where, it was alleged, she was given a seat of honor in front of the wives of the local citizens. It was reported that on one occasion they even went to confession together, Father Freitas confessing one of them and Father Guevara, the other. The brazen manner in which Peñalosa openly paraded his relations with the young woman caused considerable scandal, and before long the whisperings of angry citizens and friars reached his ears. According to the testimony of Friar Blas de Herrera, the governor asserted:

The friars mutter about me that I keep my mistress in my house. It is true that I have her there and that I brought her there, and that in the church she sits in the most important place of all the women, in a special and unique place. She is the mother of my daughter, and my mistress, and indeed she is most deserving of the place, and not only to sit in it but to be put in a gilded crystal tabernacle, for if

40. *Proceso contra Peñalosa.*

in Mexico the greatest dignitary or lord did not show her the greatest esteem for being my mistress, I would make him repent it in the greatest way imaginable.⁴¹

(2) Evidence concerning the governor's misconduct was not limited to tales concerning his mistress but also included reports of flagrant immorality with various women of the province. Likewise, evidence was given illustrating the extremely lewd and obscene speech in which he delighted to indulge.

(3) It appears that one of Peñalosa's favorite pastimes was to intone passages from prayers and chants, mimicking the friars. Thus it was reported that on a certain occasion in the presence of several friars, the governor intoned a *Gloria* and the *Credo*, and asked his listeners how they liked his performance. Assured that it was well done, he replied: "I was a cleric in my [native] land, and I performed marriages!" He also delighted to engage in debate on theological topics, including such subjects as the nature of the Trinity and technical problems relating to the adoration of the Cross and holy images. In one of his more playful moments he called for discussion of the question whether God has a beard.

(4) Serious charges were also made concerning certain alleged cases of cruel oppression of the Indians. Thus Capt. Andrés López Zambrano, *alcalde mayor* of the Keres jurisdiction, testified that in September of 1663, Peñalosa visited the pueblo of Cochití and proposed to carry off a nine year old Indian girl as a servant for the Casa Real. The mother of the child and her uncle, governor of the pueblo, made such tearful protest that he relented. Then later in the day, he summoned the uncle and asked for some gift in lieu of taking the girl, and a sum of twenty-six pesos was agreed upon, which the uncle paid by handing over three cows, mantas, and hides. Commenting on this incident, López Zambrano remarked that it was "great tyranny" thus to

41. *Ibid.*

force a mother and uncle to ransom "their own blood," especially since the governor could have bought an *Apache de depósito* for twenty-six pesos. The witness also declared that by order of Peñalosa he was obliged to go to Sia and take an Indian girl of eight or nine years from her mother and bring her to Santa Fé for service in the Casa Real; and he cited a similar case involving a girl from Taos, whom the governor took with him to New Spain. Likewise, he testified that Peñalosa had taken a poor crippled girl, the daughter of Christian Indian parents, and sent her as a gift to the viceroy's wife, pretending that she was an Apache.⁴²

When called upon to answer these charges during his trial by the Holy Office, Peñalosa challenged the accuracy of López Zambrano's testimony. He denied that he demanded money of the governor of Cochití, insisting that the sum he received was a gift, such as the Indians were accustomed to give provincial governors when they visited a pueblo. The girls taken from Sia and Taos were orphans whom he offered to care for, one of whom he later sent to Mexico to be reared by one of his relatives. The crippled girl was a *genizara*, daughter of an Apache-Quivira mother and a Pueblo Indian, and he took her to raise at the suggestion of the Santa Fé family who had her. Thus he had been inspired to do good rather than by any need for such servants, because he had so many Apache captives that he gave away more than a hundred!⁴³

VI

The new governor, Juan de Miranda, arrived in New Mexico in the spring of 1664. On May 16 Posada presented a long petition of complaint, with numerous supporting documents, concerning the Durán affair and the incident of September 30-October 9, 1663. Copies of these papers were sent to the Holy Office a few weeks later.⁴⁴

In 1665 Peñalosa testified that when he met Miranda in Nueva Vizcaya in the preceding year, his successor de-

42. *Ibid.*

43. *Ibid.*

44. *Ibid.*

manded that he should agree to stand *residencia* in absentia, and that he should give power of attorney to Tomé Domínguez de Mendoza to act as his representative. Believing that such proceedings, if held without express commission of qualified authority, would have little validity, and in order not to risk delay in his journey to Mexico City, he acceded to Miranda's demand. Using this authorization, Miranda forced Domínguez to stand *residencia* for Peñalosa, carrying on the proceedings in an arbitrary manner. Complaints against the new governor were filed by the *cabildo* of Santa Fé, and he was removed from office. The *real acuerdo* later granted Peñalosa a two-year term in which to stand *residencia* in proper form.⁴⁵

This version is in sharp contrast with another account given by Governor Antonio de Otermín in 1682 in a letter to the viceroy describing the hostility and opposition experienced by some of his predecessors. Referring to the Miranda case, Otermín wrote:

In the year 1665 Tomé Domínguez de Mendoza brought charges against Don Juan de Miranda during his first term of office, and made such grave complaint against him that he was deprived of office, imprisoned in the pueblo of Picuries with five guards, and later taken with the same [guards] to the *casas de cabildo* of the villa. All his property was seized, and [he was tried] in an iniquitous *residencia*, with thirty-three secret witnesses and many public demands, all of them false. He went to Mexico [and] appealed on the grounds of injustice. His property was returned, and he was later reappointed to this government.⁴⁶

These conflicting reports show, in any case, that Miranda's administration was stormy, and there can be little doubt that the leader of the opposition was Tomé Domínguez de Mendoza. Because of complaints filed in Mexico City, he was removed from office before the expira-

45. A. G. P. M., Tierras 3286.

46. Otermín to the viceroy, San Lorenzo, April 5, 1682. A. G. I., Mexico 53.

tion of his term, and his successor, Fernando de Villanueva, assumed authority some time in the summer of 1665. Unfortunately the record of Miranda's *residencia* is lost. The reappointment of Miranda as governor a few years later implies, however, that he eventually gave a satisfactory account of his conduct to the viceregal authorities.

Friar Alonso de Posada's services as custodian and commissary of the Holy Office came to an end in the summer of 1665, when he was succeeded in both offices by Friar Juan Paz. In the following autumn he returned to Mexico City with the mission supply caravan. Soon after his arrival in the capital in the following year he was summoned before the Holy Office to certify the authenticity of the numerous reports he had sent to the tribunal and to give testimony concerning his relations with Peñalosa.⁴⁷ Little is known concerning his later history. In 1672 he was voted the honors and privileges granted by the Order to ex-custodians of New Mexico.⁴⁸ In 1686 he was still in active service, and held the office of procurator-general of the Franciscans in Mexico. It was in that year that he wrote his well-known report on geography and ethnography of the Southwest.⁴⁹ But the years spent in New Mexico as custodian and commissary of the Holy Office constitute the most important phase of his career. His energy and fearless leadership during that period mark him out as one of the ablest prelates of the province in colonial times.

47. *Proceso contra Peñalosa*.

48. Biblioteca Nacional, Mexico, MSS., Leg. 9, doc. 8.

49. Printed in *Documentos para la historia de México*, 3a série (México, 1856).

(To be continued)

FRANCISCAN MISSIONS OF NEW MEXICO 1740-1760

By HENRY W. KELLY

CHAPTER III

MISSIONARY ACTIVITIES AMONG HEATHEN INDIANS: THE MOQUINO APOSTATES AND THE JESUIT THREAT

THE TRUE missionary did not rest on his laurels, there always was more work to do in that vague country beyond the distant mountains. The claims of Spain to territory north of the settled portions of New Spain were as all embracing as they were vague, and the missionary's zeal to bring his message to unconverted tribes beyond the pale of settlement met with the full approval of the crown. Padre Varo asked for more missionaries to carry on the work among the unconverted Indians, but, in spite of being short-handed, the Custodia did not lack men who sought opportunities for fresh spiritual conquests although already burdened with the care of a mission.

The principal activity in the missionary field in this period was among the Moquis, the Apache and the Navajo, the first of these being a sedentary, agricultural people and the other two being nomadic.

Turning to the Moquis, the padres found here a rather unique and difficult problem. The Moquis were not really *gentiles*, that is, Indians in their pristine heathenism. They had been converted in the seventeenth century, but had joined the general Pueblo revolt of 1680. After the reconquest of 1692 these Moquis (the modern name is Hopi) remained confirmed in their apostacy with great stubbornness.¹

The Moquis were (and are today) a sedentary maize-planting people, numbering at the time about ten thousand, and living in a half dozen pueblos in what is now north-

1. Hackett, *Historical Documents*, III, 30.

eastern Arizona, some one hundred and fifty miles northwest of Zuñi. These pueblos, like Acoma, were perched on top of high, narrow, sandstone mesas accessible only by treacherous, easily defended trails. The Moquis had retreated to these rock-tops to escape the ravages of their traditional enemies the Apaches and Navajos, descending to work in their corn fields below the mesas.²

The problem of subduing and reconverting these haughty Moquis was one of the most serious that confronted the officials of New Mexico, both ecclesiastical and secular, during the eighteenth century. Between 1699 and 1732 the missionaries singlehandedly made four unsuccessful *entradas* into the province of Moqui. In the same period four punitive military expeditions, accompanied by missionaries, failed to subdue these stout warriors in their rock fortresses, and the soldiers had to content themselves with destroying the *milpas*.³

To make matters worse the Moquis welcomed those Christianized Indians who, feeling themselves oppressed and unhappy, abjured their faith, and fled from the missions westward to find refuge among the Apostates. These malcontents increased the determination of the Moquis to resist submission to Christianity and the alien rule that it implied. We have already seen that the Moquis exercised a disturbing influence among the Zuñi Indians, greatly to the chagrin of the padres.⁴ During the great revolt of 1680 Tigua Indians living in the missions of Sandía, Alameda and Pajarito, south of Santa Fé and on the Río del Norte, deserted their pueblos, the entire population decamping westward to the province of Moqui.⁵ All during the first half of the eighteenth century it was the desire of the padres not only to reconvert the Moquis and their Tigua guests, but to resettle these abandoned missions. Up to 1740 the efforts of both the

2. Consult the map by Miera y Pacheco.

3. Hackett, *Historical Documents*, III, 30.

4. See N. M. HIST. REV., XV, 366.

5. Bancroft, *History of New Mexico*, 243-244.

church and state to accomplish these ends met with no success.⁶

Beginning in 1742 renewed missionary activity began among the Moquis. The principal protagonist on the Franciscan side was Fray Carlos Delgado, for years minister at San Agustín de la Isleta. This man was a credit to his order, imbued with the virtues of St. Francis, combining humility and kindness with a burning zeal for the propagation of the faith. He had disciplined his body with years of hardships, and, in 1742, although an old man in his middle sixties, he was anxious to make an entrada into the hostile, Moqui province.

In the early fall of 1742 Fray Delgado accomplished his desire with amazing results. His plan was to remove as many of the Moquis and the descendants of the runaway Tiguas as possible to the missions in the east, where, in a more conducive atmosphere, separated from the virus of apostasy, instruction and conversion could be successfully accomplished. Having been advised by some Christian Moquis that the time was ripe for an entrada, because the Moquis were at that time engaged in one of their chronic internal wars, Padre Delgado petitioned Governor Mendoza⁷

6. The fact that groups of converted Indians did desert the missions and join their heathen brothers was vividly called to my attention last summer (1939). On August 26 I was at Walpi pueblo in the Hopi reservation, and witnessed the weird Snake Dance. I became acquainted with a young Indian of that village named Leo Lacapa. Having attended the Government school he spoke English very well. I learned that he was half Tewa, half Hopi. He explained that "long ago" his people had deserted the pueblo of Santa Clara on the Río Grande, and had moved westward to Hopi-land, where they had been permitted to share part of the Walpi mesa with the understanding that they would furnish warriors to repel the attacks of the fierce Navajo. This band of fighting Tewas remained at Walpi, intermarrying with the Hopi, and their descendants are still there. The Navajos and Hopis no longer battle one another, but the traditional enmity smolders on beneath the surface. The Hopi reservation is surrounded on all sides by the Navajo reservation, and its territorial integrity is continually violated by the more numerous Navajos. Navajos, Navajo sheep, cattle, and horses overrun the Hopis' land; the Navajos jam the Hopi villages during their ceremonies, but the Hopis can do nothing but "grin and bear it or cut out the grin," for the Navajos are tall, awesome, horse-riding men, fifty thousand strong while the Hopis are short, dumpy and number only about five thousand. Hopi protests to the government have brought no remedy for their woes.

7. According to Lansing B. Bloom, "The Governors of New Mexico," *NEW MEXICO HISTORICAL REVIEW*, X, 152, Gaspar Domingo de Mendoza was governor from 1739 to 1743.

for aid in the form of a military escort and supplies. The governor gave very slim assistance, supplying an escort of only three soldiers and nothing else. Padre Delgado was joined by Padre Ignacio Pedro Pino, and between the two of them they collected a small band of a dozen Indians and Spanish settlers. The party had to go on foot, having no horses, and with practically no provisions. After a difficult journey they reached the Moqui pueblos visiting all of them. Padre Pino describing the journey said that he "ascended personally to all the cliffs and pueblos where he was well received."⁸ As a result of the civil strife many of the Moquis sought refuge with the padres, and were willing to follow them eastward. The missionaries could not remove all those who wanted to go, for they lacked the equipment, food, beasts of burden, and military assistance necessary for such an undertaking. The padres started eastward toward Zuñi with four hundred and forty one Moquis, men, women and children, old and young. It was a journey of great hardships, across fifty leagues of rough, uninhabited desert country, the padres and their followers aiding the Indian mothers to carry their babies, sometimes with as many as four or five brown infants strapped onto them. The strange caravan almost starved, being saved at the last moment by a supply of food that came from Zuñi in response to the pleas of the runners sent ahead by Padre Delgado.

The padres appealed to Governor Mendoza for aid in resettling the Moquized Tiguas in their old pueblos of Sandía, Alameda and Pajarito. The governor refused to take this initiative without special instructions from the viceroy, and ordered the evacués temporarily settled at Jémez, La Isleta and other missions. This arrangement was carried out over the strenuous objections of the padres, the Indians receiving two thousand pesos worth of live stock and property to give them a new start in life.⁹

8. Letter of Padre Pino to Commissary General, November 16, 1742, Hackett, *Historical Documents*, III, 389.

9. There are numerous contemporary accounts of this dramatic exodus. I base my information on the following: Report of Padre Lezaún, November, 1760, Hackett,

The padres continued their agitation to gain royal support for the settling of the converts apart in their own pueblo or pueblos. The existing arrangement was very unsatisfactory. The Christian Indians of the pueblos into which these Moquis-Tiguas were crowded naturally complained of the discomforts and inconveniences caused them by their uninvited guests, and the padres found it hard to instruct the neophytes under such conditions. Padre Cristóbal Yraeta wrote the commissary general, and begged him to take the matter up directly with the viceroy in view of Governor Mendoza's hesitation to support the project. In the letters of Yraeta and other Franciscans, Governor Mendoza was censured for his serious lack of coöperation in the Moqui endeavor. Had the governor sent an adequate escort with the padres many more Indians would have been removed. As it was, many old people, children and sick were forced to remain behind for lack of transportation. Yraeta mentioned another entrada, planned for the following year [1743], to follow up the initial success,

. . . and thus it will be made clear to our lord the King and to all the world that it is not because of us that the sowing of the divine word is retarded, and that often the reason why no harvest is gathered is attributable to the very negligent ministers [lay] that his majesty . . . has, who attend to their private interest.¹⁰

The matter of the permanent resettlement of the four hundred and forty one Moquis hung fire while reports and counter-reports were exchanged in the typically methodical, long winded, Spanish manner. In the meantime the indefatigable Padre Delgado was planning more entradas. His attempt to enter the Moqui province in 1743 was blocked for

10. Letter of Padre Cristóbal Yraeta, November 24, 1742, Hackett, *Historical Documents*, III, 389-390.

Historical Documents, III, 472; Letter of Governor Gaspar Domingo de Mendoza, October 31, 1742, Hackett, *Historical Documents*, III, 388; Letter of Fray Ignacio Pedro Pino, November 16, 1742, Hackett, *Historical Documents*, III, 389; Ralph Emerson Twitchell, *Leading Facts in New Mexican History* (Cedar Rapids, 1912), I, 439.

some unknown reason by Governor Mendoza.¹¹ It was not until September of 1745 that he was able to return to the Moqui, having spent the previous year in the province of Navajo, which bordered that of Moqui on the east. In June, 1745, Delgado petitioned Governor Joaquín Codallos y Rabal for permission to go to the province of Moqui and also for an escort.¹² On September 14, this permission was granted, and an escort of eighty Indians was designated.¹³

We are fortunate in having Padre Delgado's own account of this apostolic excursion, written in November, 1745, after the expedition.¹⁴ Two days after receiving the gubernatorial permission to leave their missions, Padre Delgado, accompanied by Padres José Yrigoyen and Juan José Toledo and the Indian escort, started for Moqui, which was reached after two weeks of arduous travel. The padres preached to the Moquis, asking them to give up their vices and false gods. Their words evidently had some effect on the listeners, for the Indians said that they would inform the padres when they could come again, at which time they might administer baptism. After this understanding had been reached, the padres felt more at ease, and proceeded to visit and examine the six Moqui pueblos, which were situated about six leagues one from another.¹⁵ The padres took an accurate census in each pueblo, the grand total being ten thousand eight hundred and forty six persons. Delgado mentioned especially the location of the pueblos as "rugged, rocky heights with very rough and impassable ascents." Any one who has visited the modern Hopis in their ancient cities will certainly sympathize with the padres as they labored up the steep trails in the glaring, desert sun.

11. Hackett, *Historical Documents*, III, 30.

12. According to Bloom, "The Governors," 155, Joaquín Codallos y Rabal was governor of New Mexico from 1743-1749.

13. Ralph Emerson Twitchell, *The Spanish Archives of New Mexico, compiled and chronologically arranged with historical, genealogical, geographical and other annotations, by the authority of the State of New Mexico* (Cedar Rapids, 1914), II, 215.

14. Letter from Padre Delgado to Commissary General Juan Fogueras, Isleta, November 15, 1745, Hackett, *Historical Documents*, III, 414-415.

15. The 1778 map of Miera y Pacheco shows only five pueblos; Oraibe; Jongopavi (Shongopavi); Thanos; Gaulpe (Walpi); and Aguatubi.

Padre Delgado in this same letter to the commissary deplored the fact that they had no large retinue of soldiers, for, if that had been the case, they could have brought out the Indians. Delgado asked Padre Fogueras to intercede with the viceroy to force the governor to supply soldiers to carry out this missionary work. "If it [the grant of soldiers] be made there can be no doubt we can promise ourselves notable results. . ." It is not clear what role Padre Delgado expected the soldiers to play in this missionary endeavor. Whether the soldiers were merely to help transport and guard those Moquinos willing to leave their homes and go east to the mission area, as in the case of those removed in 1742, or whether Padre Delgado had in mind the employment of force, a sort of apostolic kidnapping, is not clear.

There is no record that Father Delgado or other missionaries returned to the Moqui to capitalize on the friendly attitude that they had created among the Indians, and it is known that Father Delgado retired from active missionary service shortly after this entrada. However, the project of the resettlement of the Moqui-Tiguas, removed in 1742, was still in the air, and, after more than five years of wearisome negotiations, the padres finally gained their wish. On January 23, 1748, Governor Codallos granted a petition, submitted by Padre Juan Miguel Menchero, asking for a tract of land where the abandoned pueblo of Sandía (watermelon), a few leagues north of Albuquerque, was situated for the purpose of resettling it with the by then Christianized Moquis, who had been living at Jémez and other pueblos since 1742.¹⁶ Menchero submitted another similar petition in April together with a dispatch giving the viceroy's approval. The governor now had every authority to act, and sent Don Bernardo Antonio de Bustamante y Tagle to examine the tract of land needed for the reestablishment of the pueblo, to make the proper distribution of crop and pasture lands and water rights, to establish boundaries, and give the missionary appointed to manage the pueblo royal

16. Twitchell, *Spanish Archives*, I, 400.

possession. Lands that had been granted to Spaniards within the area to be set aside for the Indians were to be surrendered, and the owners were to be given land elsewhere. For judicial purposes the pueblo was to be attached to Albuquerque and subject to its alcalde mayor. The alcaldes of the various pueblos were ordered to see to it that the Moqui Indians living in their respective jurisdictions repaired to Sandía to aid with the construction of the new pueblo, work to begin in May, 1748.

On May 14, Bustamante gathered together the several Spaniards who owned land on the west side of the Río del Norte, and informed them of the gubernatorial decree. The law allowed the Indians to have a league in every direction from the pueblo. Bustamante, in consideration of the Spaniards, refrained from making the measurement to the west, which would have included their lands, but in return they agreed to let the Indians graze their stock west of the river. These vecinos must have had "pull" up at the governor's palace, but those owning land to the north and south evidently had no such influence, for they had to bow to the decree depriving them of their titled lands. No settlement was necessary to the east, for there rose the almost sheer face of the Sandía mountains, forming a perfect boundary.

Bustamante named the new pueblo and mission Nuestra Señora de los Dolores y San Antonio de Sandía, placing Padre Juan Joseph Hernández in charge as pastor, and in possession of the lands in the name of the Indians. The measurement to the west remained short, and elsewhere Bustamante ordered the erection of mud and stone boundary monuments "as high as a man with wooden crosses on the top of them" to mark off the mission lands. The pueblo was then settled with three hundred and fifty Moquis of all ages.¹⁷

The new mission prospered, for in 1760 Sandía was described as one of the most prosperous missions and a

17. My information for the refounding of Sandía is based entirely on Twitchell, *Spanish Archives*, I, 235-237.

strong bulwark against the fierce *Faraones* [called Pharaohs because of their cruelty] Apaches. A still more convincing proof of the success of this resettlement project is the fact that Sandía survives today with the other pueblos.¹⁸

The remainder of the story of missionary activity among the Moquis for the period that concerns us can be quickly summarized. According to available records it was one of puny efforts and negligible rewards. In 1754, the Moqui pueblos, as a result of continuous, internecine wars and struggles with the Navajos and Apaches were reduced to five, and the total population, made up partially of run-away Indians from the missions, had declined to eight thousand.¹⁹

In 1775 Padre Rodríguez de la Torre with a small party of mission Indians visited the Moqui towns, being well received and permitted to preach. However, this liberality availed him little, for, whenever the Indians showed any signs of yielding to his persuasions, a "fendish chieftain" (*cacique endemoniado*) would stand up and oppose conversion on the grounds that his people were too sensible and strong to become slaves of the *alcaldes*, although he agreed that the *padres* were good men. In spite of his failure to make much headway, Padre de la Torre remained for two weeks with the Moquis. During his stay he heard a rather amusing and curious story about a wooden plank on which the Moquis had made an annual mark since the revolt of 1680. The story went, that, when the board was completely covered with notches, the Indians would submit to Christianity. Judging from the continual accounts of Moquino impermeability to Christian teachings it is probable that they took care to provide themselves with a very sizeable board, and made their notches as slender and snugly arranged as possible.²⁰

18. "An account of lamentable happenings in New Mexico and of losses experienced daily in affairs spiritual and temporal: written by the Reverend Father Juan Sanz de Lezaún in the year 1760," Hackett, *Historical Documents*, III, 473.

19. Account of Padre Lezaún, Hackett, *Historical Documents*, III, 469.

20. Bancroft, *History of New Mexico*, 256.

To sum up, we see that the middle of the eighteenth century brought considerable missionary activity among the Moquis. From the Franciscan's point of view it was desirable to transfer the potential Christians to a more favorable atmosphere in the east, but when this was not possible, attempts to convert and instruct the Moquis in their native haunts were made. On the whole it must be said, excepting the one spectacular triumph of Padres Delgado and Pino in 1742, their sincere and strenuous efforts far outweighed the practical results obtained. The padres blamed their failure on the stubbornness of the Moquis; the inaccessibility of their pueblos from the mission area; the non-coöperation of the secular authorities in providing military escorts and supplies for the entradas, and, most important, on reports that reached the Moquis of the unjust exactions imposed by the governors and the *alcaldes mayores* upon the mission Indians. These unsavory and contradictory by-products of Christianity naturally caused the Moquis, and all other gentiles, to think twice before submitting to baptism. The conservatism of the Moqui and his attachment to his ancestral religion and customs must be exceptionally strong, for modern missionaries of all sects throughout the nineteenth and twentieth centuries have made little headway and that, in an age when a change of creed entails no change in political and social status.

In connection with the missionary activities of the Franciscans among the Moquis there is an interesting side development, which throws light upon the relations of the Religious Orders with one another in the field of missionary endeavor. It is generally known that the Orders of regular clergy, the Jesuits, Franciscans, Dominicans, Augustinians, Mercenarians and others were imbued with a lively *esprit de corps*, which occasionally over-developed into bitter rivalry and envy of one another's achievements. In their educational establishments, the splendor of their churches, their missionary endeavors, and in all other phases of their varied activities the Orders vied with one another. Up to

a certain point this rivalry was beneficial, for it made for progress, for efficiency, for the correction of abuses and the adoption of reforms in order to keep pace with the competition. However, when, in an excess of rivalry, the Orders forgot that they were fundamentally all striving for the same ends, they not infrequently check-mated one another, so that the program as a whole suffered. In the specific case of the Franciscans in New Mexico this spirit was only faintly suggested, but sufficiently so to make it historically significant.

Since the earliest thrusts into New Mexico in the sixteenth century, the Franciscans had enjoyed a monopoly of ecclesiastical power. All during the seventeenth century, up to the revolt of 1680, they had sole control of this mission area, the blood of twenty one Franciscans indelibly sealing this right, which was further confirmed when the padres returned with de Vargas and his reconquistadores.

It is easy to imagine the consternation of the padres, when, for the first time in two centuries, their monopoly was threatened. A royal cedula of July 19, 1741, ordered three Jesuits from Primería Alta (what is now the Gila district of Arizona) to work among the Moquis, replacing the Franciscans.²¹ The royal motives behind this decree are quite clear. The Franciscans had signally failed since the reconquest to pacify and convert the troublesome Moquis, and the crown desired to give the efficient Jesuits a chance to crack this tough nut.

This decree raised a storm of opposition among the Franciscans. It was a direct slap at their collective pride and at their long record of service. They regarded the prospect of having to surrender the Moqui vineyard to the Jesuits as gall and wormwood. It has been suggested that Father Delgado's great achievement of 1742 was partially inspired by a desire to win back the favor of the crown, and

21. Letter of Padre Cristóbal de Escobar y Llamas, provincial of the Society of Jesus in New Spain to the Viceroy, Mexico, November 30, 1745, Hackett, *Historical Documents*, III, 417.

block the advent of the Jesuits.²² Meanwhile, the execution of the decree hung fire in the best Spanish manner. Padre Delgado, as chief protagonist in the Moqui field, wrote letters in opposition to the change. He discounted the claims of the Jesuits that the Moquis wanted the *padres prietos* (Jesuits) instead of the *padres azules*. On the contrary Delgado claimed that the Moquis were opposed to the advent of the Jesuits, that they would only undo his work, cause great expense to the crown and in the end lose their lives for nothing. Padre Delgado exposed for an instant a sample of the unchristian feeling that arose between the Orders by hinting that the Jesuits were interested in the Moqui province because of the gold that was thought to exist in the semi-legendary *Sierra Azul* that was located somewhere in that region.²³ Delgado, hearing rumors of an unsuccessful attempt on the part of the Jesuits to enter the Moqui in 1743, wrote to the Commissary; "this is proof . . . that our beloved Jesus does not desire that a work which our order has cultivated for so many years shall be destroyed by this means, or that we shall lose our labor, even though it is all directed towards the same ends."²⁴

However, the Jesuit threat did not materialize. One of the contributing factors for the failure of the royal plan to develop was the attitude of the Jesuit officials themselves. Surprising it is to learn, and in direct contradiction to the "rivalry" theory that has been advanced, that the Society of Jesus was opposed to this change. In a letter written by the Jesuit provincial of New Spain, Cristóbal Escobar y Llamas, to the viceroy in November, 1745, he sought to excuse his Order from undertaking the evangelization of the Moqui province, advancing some reasons which in themselves would not have been real hindrances had the Order been

22. Bancroft, *History of New Mexico*, 246.

23. Padre Delgado to the Commissary General, June 18, 1744, Hackett, *Historical Documents*, III, 394.

24. Letter of Delgado to the Commissary, November 15, 1745, Hackett, *Historical Documents*, III, 415.

willing to undertake the task.²⁵ The provincial seems to build up his case by deduction from the premise, "that the Order has enough on its hands, and does not want to be bothered with the Moqui," supporting this preconception by all the plausible excuses available.

Fray Escobar pointed out the following factors that rendered compliance with the royal order difficult or nearly impossible. First of all, he stressed the scarcity of the Jesuit workers in view of the disproportionate size of their jurisdiction, and the heavy mortality brought on by the rigorous missionary life.

Secondly, he cited the provision in the *Recopilación de Indias*, which forbade the operation of missionaries of different orders in the same region.²⁶ Escobar claimed that the success of Padre Delgado in 1742 had placed the province of Moqui in Franciscan hands, and that to interfere then would be illegal. This second point of Escobar certainly reveals the Jesuit frame of mind. If the order had really wanted the Moqui jurisdiction, a general law such as the provincial cited could have offered little real difficulty, for such laws were constantly being ignored or freely interpreted to meet specific colonial requirements.

Thirdly, Escobar dwelt on the inaccessibility of Moqui from Pimería Alta. According to him there were only two gateways, both of which offered difficulties. The first was through New Mexico passing up the Río del Norte and then westward to Moqui. This tramping of Jesuit feet through the Franciscan domain might have caused trouble. The second route lay directly north from Sonora to Moqui, but was infested by hostile Apaches.

Fourthly, the inaccessibility of the province and the lack of intervening missions would make imperative expensive convoys and escorts, payment for which would necessitate the doubling of the annual salary of three hundred pesos to each missionary.

25. Letter of Fray Escobar to Viceroy, 1745, Hackett, *Historical Documents*, III, 417-418.

26. *Recopilación de Indias*, law 32, title 15, Book 1.

Lastly, it would be necessary to supply each missionary with an escort of four to six soldiers completely under his command for a period of at least three or four years. Certainly the last two arguments must have appeared quite formidable in the eyes of the impoverished government.

As a result of this report and the recent success of the Franciscans among the Moquis, the king was brought around to favor the Franciscan case, and drop his scheme. He was convinced that he had been misinformed respecting the geographical location of Moqui, the hostility and power of its people, and the vain efforts of the soldiers and friars to reduce them. The fact that two missionaries had gone almost alone, without costing the royal treasury a *centavo*, and had returned with four hundred and forty one converts was a very impressive accomplishment in royal eyes. It meant that the Moquinos were neither so far removed from New Mexico, or so obdurate in their apostacy as had been alleged. Therefore, in November, 1745, in a royal cedula, the king reasoning along these lines, switched from the Jesuit camp and ordered the viceroy to coöperate fully with the Franciscans.²⁷

The *padres azules* weathered the jurisdictional storm, but as we have seen the fundamental Moqui problem remained for the most part unsolved.

CHAPTER FOUR

MISSIONARY ACTIVITIES AMONG HEATHEN INDIANS: NAVAJOS, APACHES, COMANCHES, AND GENÍZAROS

Besides the efforts made to return the strayed Moquis to the fold, the conversion of the neighboring heathen nomads was of great concern to the eighteenth century missionary. The difficulty in dealing with the nomad Indians was double that encountered with the sedentary pueblo Indians. These Indians not living in permanent settlements were hard to locate and control. Before effective conversion

27. Bancroft, *History of New Mexico*, 246.

and instruction could begin, it was necessary for the padres to persuade these people to give up their drifting existence and settle in one place. This reduction to mission life involved a profound change in their traditional manner of living, a change that many Indians refused to make unless under considerable pressure.

The nomads that were given most attention by the missionaries were the Navajos and the Apaches. The Navajos, usually classified as a nomadic people, were far less nomadic than the word implies. They roamed about a fairly limited area, essentially corresponding to their present-day reservation, an area extending roughly from the San Juan Valley in northwestern New Mexico, westward to the Colorado River, and they did settle in one place long enough to plant corn. With these facts in mind the Navajos can be called a nomadic people. The Apaches were more truly nomads, and were found widely scattered over all the mission area.

The records of missionary activity among these tribes during the early decades of the eighteenth century are extremely scanty. In 1733 the custodian, Padre José Ortiz de Velasco, founded a mission of Jicarilla Apaches on the Río Trampas, five leagues north of Taos. It prospered for awhile under Padre Mirabal, there being one hundred and thirty Indians at the mission in 1734. However, for some unknown reason the governor, Geruasio Cruzate y Góngora,¹ ruined the project by sending soldiers from the presidio at Santa Fé, who ejected the Indians. The mission had not been revived by 1744.²

Let me say before going further that it is impossible to consider separately the dealings of the padres with the Navajos and the Apaches. A glance at the map will show that the region labelled "Provincia de Nabajoo" lay directly west of the central mission area of the Río del Norte. In the numerous accounts of the entradas and conversions these

1. According to Bloom, "The Governors," 155, Geruasio Cruzate y Góngora was governor of New Mexico from 1731 to 1736.

2. "Declaration of Fray Miguel Menchero, Santa Bárbara, May 10, 1744." Hackett, *Historical Documents*, III, 403; Bancroft, *History of New Mexico*, 242.

occurrences always took place in "the province of Navajo." It is never quite clear whether the converts were Navajos or Apaches, for both seem to be associated with the same province. Sometimes the Indians of this region are spoken of as Navajos, then in the same breath as Navajo-Apaches and again as just plain Apaches. For this reason I shall straddle the issue and combine the missionary activities among the two tribes as one and the same endeavor using the same two words interchangeably.

The person to initiate the flurry of missionary zeal among the Navajo-Apaches that marked the fifth decade of the eighteenth century was the ubiquitous, indefatigable Padre Carlos Delgado. In March of 1744, in between trips to the Moqui, Father Delgado, accompanied by Padre José Trigo Irogoyen, entered the Navajo province, and reported the conversion of five thousand Indians. Father Irigoyen, writing to the commissary general in June, 1744, asking to be confirmed as Delgado's assistant in future entradas, praised the old missionary in exalted language. He dwelt on Delgado's saintly character and his amazing success among the heathen Indians. The young and enthusiastic assistant felt inspired at the mere thought of working in association with Delgado. Speaking of the projected entrada into Moqui, Padre Trigo wrote:

I am impatient for the time to come, for although many hardships of hunger, thirst and nakedness are to be endured, such good companionship sweetens the affliction . . . I came away from the province of Navajo confounded at witnessing the ease with which the said reverend father wins souls, and I can only think that the Divine Majesty, for a purpose so high, permits the heathen, at the mere sight of his apostolic and religious character, to yield with indescribable impetuosity to the yoke of our holy Catholic faith.³

3. Letter of Father Irigoyen, Jémez, June 21, 1744 to the Commissary General, Pedro Navarrete, Hackett, *Historical Documents*, III, 413.

We are again fortunate in having Padre Delgado's own account of the entrada that he and Padre José Irigoyen made into the province of Navajo in March, 1744. Starting out from Padre Irigoyen's mission, Jémez, they traveled west for four days, encountering floods and inclement weather, after which they reached the province. They preached in the scattered Navajo *rancherías* with such effectiveness that the Indians asked them to remain while they summoned their widely dispersed brothers, who had not yet heard the gospel. The padres stayed there for six days converting all the Indians, and placing them in missions in their own province. The Indians promised to send a delegation to Santa Fé to visit Governor Codallos, who aided the padres in making this entrada, which they did towards the end of March. The padres presented their protégés to the governor, who received them with kindness and flattery, promising them protection, as vassals of the king, from their enemies.

The secret of Padre Delgado's amazing knack for converting the heathen is partially revealed when he himself admits that his success was made easier by the distribution of gifts in the form of cloth, beads, ribbons, tobacco and other novel articles pleasing to primitive man, a device employed by all missionaries in all ages. By their gifts and kindness the two padres left a very friendly feeling in the province of Navajo.⁴

An insight into the fine character of this old missionary is afforded by a second letter written by him on the same day, June 18, 1744, to the Commissary Navarrete, a letter pervaded by a touching, more personal flavor, not encountered in the previous official report. Delgado asked Navarrete to send him a fresh supply of materials necessary to make presents for the heathen Indians, the cost of which was to be charged to his own account in the Custodia records. The old campaigner was keen to continue his work,

4. Letter of Fray Carlos Delgado, June 18, 1744, to Commissary Navarrete, Hackett, *Historical Documents*, III, 391-393.

but he found himself with exhausted funds and as poor as Saint Francis.

On this journey to the Navajoo I was left without habit or sandals or anything else, on account of the country being so rough; I am . . . indecent to appear before a human being, and have no one to whom to apply unless it is to your Reverence, of whom I ask, not a new habit or new sandals, but something old that may be spared there.

Delgado also asked the commissary for a young assistant to take care of the mission of Isleta during his absences on missionary trips. In spite of his sixty-seven years Padre Delgado felt strong and eager to carry on his arduous work, and spoke of his intentions of making an extensive entrada into Moqui and Navajo the following year.

Governor Codallos was coöperating with the padres in their missionary work in the Navajo province, and petitioned the viceroy for three or four additional religious, who might devote all their time and energy to this work, not being hampered with the care of existing missions. Fray Delgado knew only too well the rigid requirements for a successful missionary in that harsh land, and asked the commissary, in the event that this petition was granted, to see that the new recruits "are over forty years of age, mild, humble, stripped of all property and that they know how to endure many hardships."⁵

Father Delgado did make his intended trip to the Navajo in the fall of 1745. The details of his accomplishments this time are lacking, but he returned with one exciting bit of news. It seems that while in the Navajo, the Indians had told him about a distant mystery-wrapped, Indian Kingdom called *El Gran Teguayo*, the capital city of which "is so large that . . . one can not walk around it within eight days. In it lives a king of much dignity and ostentation . . ." The Spaniards, both adventurers and missionaries, had been

5. Letter of Fray Delgado to Commissary Navarrete, June 18, 1744, Hackett, *Historical Documents*, III, 393-394.

chasing the shadowy, tantalizing, elusive El Dorado in one form or another ever since they first set foot in the New World. On a few rare occasions they caught him, but most of the time the chase led to disillusionment and stark reality. Padre Delgado also had his El Dorado in which he believed, for he intended to seek it at the next opportunity. He also probably realized that the royal purse strings might be loosened by reviving interest in the Northern Mystery.⁶

From all accounts the entrada into the Navajo in the fall of 1745 was Padre Delgado's last plunge into the wilderness. He was unable to chase his Teguayó rainbow, and from then on the grand old man settled down to a less rigorous life at Isleta. He by no means dropped his enthusiasm for the cause, and we shall hear from him again in another connection.

Governor Codallos succeeded in arousing the interest of the crown in the Navajo project, but action was held up by the usual red tape. A royal order of November 23, 1745, ordered the viceroy to make a complete report to be sent to the king concerning the accuracy of the Franciscan report that in May of 1744 Padres Irigoyen and Delgado had reduced and converted five thousand Indians. The crown was indeed impressed with this "marvelous event," especially since the padres claimed that it was done with no cost to the hacienda real. In case of the truth of the Franciscan claims the viceroy was to "attend by all possible means to the increase and extension of these new reductions and conversions . . ."⁷

As a result of these instructions the viceroy in 1746 ordered the founding of four missions in the Navajo country, protected by a garrison of thirty soldiers. This was the order of a remote viceroy, fifteen hundred miles to the south, and, like many other well intentioned decrees that were not framed in the knowledge of local conditions, it ran

6. Report of Padre Delgado to the Commissary, undated, probably 1745, Hackett, *Historical Documents*, III, 416.

7. A royal order of November 23, 1745, to Viceroy Conde de Fuenclara, Hackett, *Historical Documents*, III, 416.

into snags. Governor Codallos found it impossible to spare the mission guard stipulated, which would have meant reducing his garrison by over one-third, especially at a time when the Apaches were giving so much trouble.⁸

The same year while matters were at a standstill, Fray Juan Miguel Menchero, in his capacity as ecclesiastical *visitador* made an official tour of inspection throughout the Custodia. Deciding to try his hand at real missionary work he went into the Navajo province, and by his energy induced about five hundred "Apaches" to return with him and settle, for the time being, at a place called La Cebolleta [little onion], a few leagues north of the mission of Laguna.⁹ He baptized all the children, but in spite of their requests, refused baptism to the adults while they were trained in the rudiments of the faith.¹⁰

There is a hiatus in the account from 1746, when Padre Menchero coaxed the Navajo-Apaches to Cebolleta, until 1749. In 1748 wars between the Navajos and their enemies the Utes and Chaguaguas slowed up the missionary program.¹¹ In 1749 Governor Codallos was replaced by Tomás Vélez Cachupín, a young and vigorous man.¹² In response to Padre Menchero's pleas he obtained viceregal approval for the founding of the much talked of missions, not in the wild, inaccessible Navajo province, but southeast of that province in the more convenient Ácoma-Laguna region where a start had already been made. Accordingly, the neighboring missions of Cebolleta and Encinal were established, the latter located a few leagues north of Ácoma, additions being made to the Navajo-Apache converts already at Cebolleta. Padre Manuel Vermejo was stationed at Cebolleta, and Padre Juan Sanz de Lezaún at Encinal.¹³

8. Bancroft, *History of New Mexico*, 247.

9. Consult the Miera y Pacheco map.

10. Letter from Fray Juan Mirabal, San Juan, July 8, 1746, to Commissary Fogueras, Hackett, *Historical Documents*, III, 420.

11. Bancroft, *History of New Mexico*, 248.

12. According to Bloom, "The Governors," 155, Tomás Vélez Cachupín was governor of New Mexico from 1749 to 1754.

13. Report of Padre Juan de Lezaún, November 1760, Hackett, *Historical Documents*, 471; Bancroft, *History of New Mexico*, 248.

At the same time the crown acceded to the request of Padre Menchero, made through Governor Codallos five years before, for the support of several missionaries in the province of Navajo.¹⁴ In 1749, according to Padre Andrés Varo, four missionaries were working in this province: Padres Manuel Trigo, Cayetano Trigo, Andrés García and Joseph Rubio.¹⁵

Thus the Franciscans were working both among the Indians in their native haunts and among those that they had removed and settled at Cebolleta and Encinal. For a while everything seemed to be progressing nicely, but the initial success was rather suddenly reversed by a series of dramatic misfortunes ending in the collapse of the whole program.

In the first place, the new Governor Cachupín, according to the Franciscans, after having aided the padres in obtaining royal approval of their plans, not only refused to offer them material aid, but obstructed their efforts by his open and bitter hostility. Fathers Vermejo and Lezaún, stationed respectively at Cebolleta and Encinal, worked for five months under great hardships and danger, with no other protection or aid "than that of heaven." The governor remained deaf to their pleas for supplies and a military escort. Only once after great delay did he send Vermejo a few necessities; a little corn, some sheep, and one half pound of indigo [añil]. He sent nothing at all to Lezaún. This negligible aid excepted, the padres supported themselves and the Indians at their own cost. So destitute were they that they did not have even the necessary equipment to say Mass, being forced to travel seven leagues through dangerous country to Laguna for this comfort.¹⁶

Their position was made far more untenable and the ill will of the Indians was aroused by a dramatic incident that occurred on October 26, 1749, at the mission of Cebolleta. Governor Cachupín was passing through the region on a

14. See above, p. 58.

15. Report of Padre Varo, 1749, B. N., Leg. 8, Doc. 57, Folio 11-11v.

16. Report of Padres Vermejo and Lezaún, October 29, 1750, B. N., 16.

tour of inspection, and stopped to visit Cebolleta. His retinue included Padre Miguel Menchero, the alcalde mayor of Laguna, assorted vecinos and a number of soldiers. Padre Lezaún had come from Encinal, and, of course, Vermejo was present. Cachupín, whom the padres all characterized as young, inexperienced and hot-headed, suddenly by caprice seized a bow and arrow, and, deliberately aiming at one of the Apache neophytes, released the shaft. Fortunately, the arrow broke as it left the bow due to the governor's clumsiness, but the flint head struck the unlucky Indian in the groin drawing blood. Padre Vermejo immediately rebuked the governor for his cruelty and folly.

And I told him to consider what he had done, that such tricks would result in great harm to us. He replied to me in the presence of all, that even if he had killed him, who would call him to account? This he said with great haughtiness and pride, to which I replied that the man's wife, his sons, and all those gentiles would [call him to account], and that the Viceroy had a Royal Audiencia at the head, and the King, a Council.¹⁷

This unfortunate incident left affairs simmering at Cebolleta and Encinal. The Indians were naturally quite peeved to put it mildly, and the incompatibility of the actions of a Christian governor with the doctrines of kindness that the padres had been impressing upon them must have struck them. The two missionaries, alone without a guard, among hundreds of ruffled Apaches, certainly were not in an enviable position.

The acuteness of the situation was further aggravated when Cachupín forced the Indians of Laguna to go to Cebolleta and those of Ácoma to Encinal to work his fields and build houses and churches for the benefit of the new mis-

17. Vermejo-Lezaún Report, 1750 B. N., Leg. 8, Doc. 82, Folio 6-6v. "Y diciéndole yo que mirara lo que hacia que de aquellas burlas nos podrian resultar graves daños; me respondió en presencia de todos que si le hubiera muerto quien se le había de pedir? Con mucha soberanía y imperio: a que respondí que su muger, sus hijos y todos aquellos Gentiles, y que el Virrey tenía una Real Audiencia en cima y el Rey, un Consejo."

sions. The discontent of the converted Indians at the enforced labor so impressed the Apaches that they were strengthened in their growing determination to have none of Christianity and the ills it brought in its wake.¹⁸

To make matters worse, strained relations developed between the Navajo-Apaches of Encinal and the Indians of Ácoma.¹⁹ For centuries the tall, fierce, Navajos and Apaches had harried the dumpy, Pueblo Indians, and the Ácomans had suffered in particular. It was to escape these terrible marauders that they had become sun turtles, living atop a shadeless rock, just as their sedentary relatives at Mesa Verde and Frijoles had taken refuge in holes high up on cliff walls to escape the same enemies. The Pueblo people in general and the Ácomans in particular hated and feared the Navajo. He was the traditional enemy as was the Moor of the Spaniard. If such were the feelings of the Ácomans for the Navajos it is easy to understand how bitterly ironic it was to draft them as workmen constructing homes for their foe.

Early in 1750 the Navajo-Apache increased the apprehension of the Ácomans by petitioning Governor Cachupín for permission to move their residence to a place called Cubero, only a couple of leagues north of Ácoma, where water was more abundant, there being a small stream that ran eastward into the artificial lake at Laguna. The Ácomans registered a vigorous protest, for, if this request was granted the enemy would be planting corn in their own milpas, which were scattered about at considerable distances from their rock. The Ácomans certainly did not want their food supply and lives to have to depend on the protection of the slow-moving and distant presidio at Santa Fé.

It was to settle this dispute with justice and to the satisfaction of both sides that Governor Cachupín on March 24, 1750, ordered Lieutenant General Bernardo Antonio de

18. Report of Padre Lezaún, 1760, Hackett, *Historical Documents*, III, 472.

19. Illustrative of the confusion of terms that exists in the documents concerning the missionary activity among the Navajos and Apaches, Governor Cachupín in an official letter referred to the Indians of Encinal and Cebolleta as "Navajo-Apaches," while the padres call them "Apaches" fairly consistently.

Bustamante y Tagle, whom we have met before in connection with the reestablishment of Sandía Pueblo, assisted by the vice custodian, Fray Manuel de San Juan Nepomuceno y Trigo, to go to the troubled area. Padre Trigo was to help Bustamante in settling the dispute, especially in preventing bloodshed between the Navajos and Acomans, which would destroy the gains made in the conversion and settlement of the nomads, and would result in harm to the less bellicose Acomans. Here was a delicate situation, requiring real, diplomatic tact and skill.²⁰

As it turned out the mediators were spared this ticklish job, but faced with one infinitely more difficult. On April 16, 1750, just as Trigo had reached Laguna on his way to Encinal, Bustamante who had preceded him, gave him the terrible news that the Navajos of Encinal and Cebolleta had revolted and driven out their padres, Juna de Lezaún and Manuel Vermejo.²¹

Upon receipt of this news Padre Trigo immediately, the same day, tried desperately to salvage the fruits of months of hard missionary labor. Accompanied by Bustamante, the alcaldes mayores of Acoma-Laguna and Zuñi, their lieutenants and other Spaniards, he hurried to Cebolleta, and made a valiant but vain attempt to win back the revolted neophytes. He addressed the Indians with much eloquence and zeal promising them the friendship and reward of God and the Spaniards if they would return to the faith. They would be molested in no way, could build their pueblo in any good spot they chose, and those Christians who wanted instruction could come to the padre, who would live nearby, but apart from the Indians. Trigo's words seem to imply that the "mission" of Cebolleta, like that of Encinal, was still an uncompleted, makeshift village. If great progress had been made in the construction of an elaborate adobe pueblo the

20. Letter of Governor Tomás Vélez Cachupín, Santa Fé, March 24, 1750, to Vice Custodian Trigo, Hackett, *Historical Documents*, III, 424-425.

21. Letter from Padre Trigo to Bustamante, April, 1750, Hackett, *Historical Documents*, III, 432.

Indians of Encinal would not have been so inclined to move to Cubero.

The reply of the Indians to Padre Trigo's exhortations is a poetic masterpiece, beautiful in its simplicity and directness; indicative of how strong the wanderlust beat in the nomad's breast and how slight was the grasp of the Navajo's mind on the significance of the Christian religion.

They the Indians of Cebolleta replied that they did not want pueblos now, nor did they desire to become Christians, nor had they ever asked for the fathers; and that what they had all said in the beginning to the Reverend Commissary, Fray Miguel Menchero in 1746 was that they were grown up, and could not become Christians or stay in one place because they had been raised like deer, that they would give some of the children who were born to have water thrown upon them [indicating a complete ignorance of the significance of baptism] and that these as believers, might perhaps build pueblos and have a father, but that now they did not desire either fathers or pueblos; that they would be, as always, friends and comrades of the Spaniards, and that if the father wished to remain there they would do him no harm, but that they could not be Christians.

To this fair-minded reply Padre Trigo countered with more concessions. He offered to give them a new father if they found fault with Padre Vermejo, or if that did not suit them he zealously offered to stay himself and instruct the children. The Indians replied that they had no complaint against their minister other than that he was so poor that he could give them nothing. They repeated that they had given Padre Menchero no promises of becoming Christians, and had only allowed water to be "thrown upon" their children because the parents who brought children were rewarded with gifts of hoes and picks.

Having failed to win back the Indians of Cebolleta, Trigo, Bustamante and their retinue went the next day to Encinal with as little success. The chief of the Navajo-

Apaches, Don Fernando, spoke for his people, giving similar replies to the exhortations of the Spaniards. He added that Padre Menchero had not given them all the gifts he had promised for having brought their children to be baptized. Menchero's promises had been lavish to the extreme, far in excess of his ability to fulfill them. He promised to send the Indians horses, mares, mules, cows, sheep and clothing, the very things most prized by these nomads.

All these parleys were carried on through a Christianized interpreter. Padres Lezaún and Vermejo were evidently not present, but even in their cases I have found no definite proof that they were able to speak the Navajo-Apache dialect. The faintness of the impression that these padres made upon their charges during their five months sojourn would seem to indicate their inability to communicate directly with the potential converts. The Indian interpreter put everything into a nut shell when he said to Bustamante and Trigo:

I know these people well, for they are my people and relatives, and I say that neither now nor ever will they become Christians. They may say yes in order to get what is offered them, but afterwards they say no. My mother and sister who are here, are the same, and I have not been able to persuade them to come with me and be Christians.²²

This is how the program of converting the Navajo-Apaches stood in 1750, even more of a failure than the Moqui program. The padres had followed the same tactics as with the Moquinos. They felt that the best policy was to coax the nomads out of the fastnesses of the province of Navajo, where it would be difficult to reach them, and settle

22. The entire account of these negotiations between the Navajo-Apaches of Encinal and Cebolleta and the Spaniards is based on written testimony, taken immediately after the episodes by Bustamante at the request of Padre Trigo as proof and justification of his sincere efforts to win back the revolted Indians, from the various *alcaldes mayores* and their subordinates who witnessed the occurrences. Captain Fernando Ruyamor, *alcalde mayor* of the pueblos of Acoma and Laguna, was the chief witness. The evidence he offered was duplicated and enlarged by that of his lieutenant, Pedro Romero; and by that of Don Ignacio de la Barrida, *alcalde mayor* of Zufi. Hackett, *Historical Documents*, III, 433-437.

them in new missions. By settling them near at hand, in the region of Spanish influence, the padres hoped to convert and civilize them. Padre Menchero in 1746 had been liberal with his gifts and even more so with his promises of more, which accounted in great part for his success in bringing the Navajo-Apaches to Cebolleta. Once there, they found the promised gifts far in arrears, and their present padres too poor to satisfy their desires—this being their only complaint against them. Their nomadic instincts, the desire to be on the move, added to the non-appearance of promised gifts, the lack of coöperation and rashness of Governor Cachupín, all combined to bring about the rupture. How sad a day for the Franciscans of New Mexico must have been April 16, 1750!

However, the failure of a handful of ill equipped and poverty stricken Franciscans to convert the Navajos and Apaches in a harsh, danger-ridden, frontier region appears far less glaring when one considers the none too distinguished accomplishments of modern missionary societies, comparatively well supplied with temporal necessities, working in a pacified country with the benefits of modern communications, and employing to their best advantage the fruits of two hundred years of sociological research in the art of dealing with people on a lower cultural level.

Concerning missionary activity among the Comanches, who, to a greater extent than all the other nomadic tribes put together, wrought havoc among the missions and Spanish settlements of New Mexico, I have found not a single record for this period of the eighteenth century.

There is one more phase of the missionary program among the heathen nomads that should be given consideration. It was relatively unimportant, and was only incidentally a part of the wide missionary scheme. The nomadic gentiles, especially the Comanches from the Great Plains, carried on an extensive trade with the Spanish settlements, that is, when they were not in a raiding mood. The most valuable among the articles of trade in that barter economy

were Indian captives that these Comanches had made in their perpetual wars. These captives, men, women, and children, represented many tribes spread over a great area, for the Comanches on their fleet ponies were an extremely mobile people. Bringing these unfortunate prisoners to the Spanish settlements along the Río del Norte, the nomads traded them for horses, weapons, tools and other objects. These Indians when purchased were considered slaves, although chattel slavery had been forbidden by law since the sixteenth century. The Spaniards of New Mexico, like those of other remote areas, were able with immunity openly to violate the laws. The owner was supposed to instruct, convert and care for his slaves, a condition probably imposed by the padres who, faced with an evil that they could not eradicate, sought at least to protect the slaves. The theory was admirable enough; it was better to buy the savage, instruct him and give him a chance to save his immortal soul than to let him meet a miserable and unbaptized death at the hands of his cruel captors. These *Indios sirvientes*, numbering about thirteen hundred in 1749 were a rather extraneous element in the provincial society.²³ They were also called *genízaros* or janissaries because they were often employed as scouts and auxiliaries in campaigns.²⁴

However, many Spaniards did not live up to their obligations, and, as a result of abusive treatment many *genízaros* fled and became apostates. The padres, distressed at this state of affairs, asked aid from Governor Mendoza. He issued a proclamation throughout the Kingdom that all *genízaros*, men and women, who had unjust masters, might report to him and he would examine the justice of their complaints. This a number of Indians did, and in 1740 the governor founded a settlement called Valencia or Tomé, thirty leagues south of Santa Fé on the Río del Norte, just two leagues below Isleta. Here the Indians lived on a social basis similar to that of the mission Indians. Although the settle-

23. See census chart.

24. Bolton, *Spanish Borderlands*, 184.

ment was composed of forty families of all tribes, this diversity did not lead to quarrels, partly owing to the diplomacy of the minister of Isleta, our old friend Padre Carlos Delgado. These Indians farmed, and were very efficient in repelling the attacks of their wild, nomadic brothers. In 1744 they were busily engaged in the construction of a church under the direction of Padre Delgado at, as the Franciscan reporter significantly added, no cost to the crown.²⁵

There were other settlements of these *genízaros* already existing or founded during this period. Northwest of Santa Fé at Abiquiú on the Chama River another pueblo of these Indians was established about 1747.²⁶ Living within the jurisdiction of Taos pueblo but not in the actual mission, according to a census taken in the summer of 1750 by the resident minister, Padre Miguel Gómez Cayuela, were eight families of *genízaros*.²⁷

Although most of the *genízaro* settlements were located apart from the other missions, this was not always the case. Occasionally, the minister of a mission or the mission Indians themselves were able to ransom a few captives, and add them to the mission community where they lived on more of a basis of equality than those bought by the *vecinos*.²⁸ Such seems to have been the case at the mission of San Juan de los Caballeros, about ten leagues north of Santa Fé, where, according to a census taken by the resident minister, Padre Juan Joseph Pérez de Mirabel, there were fifty-eight *genízaros*, making up fourteen families, living in the mission with the other Indians.²⁹

25. "Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744" to the Provincial, Hackett, *Historical Documents*, III, 401-402.

26. Twitchell, *Spanish Archives*, II, 219.

27. B. N., Leg. 8, Doc. 81, Folio 42-42v.

28. Survey of Missions by Padre Andrés Varo, January 29, 1749, B. N., Leg. 8, Doc. 57, Folio 4.

29. B. N., Leg. 8, Doc. 81, Folio 29.

(To be concluded)

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

By MARION DARGAN

IV. THE OPPOSITION WITHIN THE TERRITORY DURING THE NINETIES

SOME TWENTY-ODD bills to admit New Mexico to the union were introduced into congress between December, 1891, and June, 1903. All of these were promptly referred to a committee, and most of them were never heard of again. Three bills, however, passed the house and attained the dignity of a senate report, although the majority report on the last of these was unfavorable. During the early nineties, Antonio Joseph, delegate to congress from New Mexico, fathered most of the house bills, hoping to win statehood by the aid of his fellow democrats. After his defeat in 1894, Catron, Fergusson, Perea and Rodey followed in rapid succession. Of these, perhaps the first and the last named strove hardest to get an enabling act through congress, but all met defeat.

One of the most important factors that contributed to the failure of these hopes was the unwillingness of some of the citizens of the territory to assume the responsibilities of full citizenship. On June 6, 1892, in discussing a bill introduced by Delegate Joseph, George D. Perkins, a republican member of the house committee on territories, said:

Now, Mr. Speaker, it is a question whether the people of New Mexico desire the passage of this bill. I undertake to say that no evidence has been presented further than the compilation of some old reports—nothing that has transpired during the life of this Congress—to show that New Mexico itself is asking for admission. It is true that about a year ago New Mexico voted upon the adoption of a constitution, and rejected it. I do not know but that New Mexico would declare against ad-

mission at this time. It is said by those resident in New Mexico that it is not well for New Mexico itself that it be admitted at this time.¹

The Iowa congressman evidently referred to the Joseph report of the preceding March, over seven pages of which appeared under the topic: "*Does New Mexico Desire Admission?*" The chief documents used to support an affirmative answer to this question were a memorial to congress adopted by the legislative assembly of New Mexico in 1872 and two speeches made by Governor Prince and ex-Governor Axtell at a hearing before the house committee on territories in the spring of 1890. This evidence went to show that the territorial politicians wanted statehood at the times indicated, but it left room for doubt regarding the attitude of citizens in 1892.²

The bill passed the house, however, and Senator Joseph M. Carey of Wyoming reported it favorably in the senate on July 21, 1892.³ Two pages of his report followed the heading "*The People Desire Statehood.*" Yet, while he went back to that August day in 1846 when General Kearny took possession of Santa Fé and promised the people of New Mexico "a free government, with the least possible delay,"⁴ he offered no proof that the people of the territory wanted statehood forty-six years later.

If we compare the reports already cited with three others made in the nineties on similar bills, we will notice that they are all much alike. Each makes some pretense of giving the attitude of citizens of the territory, but none are convincing. All tend to rely on musty documents of the past. The memorial of 1874 is given three times, and one of 1850 twice. The Blackburn report made to the senate in

1. *Congressional Record*, Vol. 23, Part 6, p. 5087.

2. Delegate Joseph reported for the committee on March 16, 1892. *Congressional Record*, vol. 23, part 3, page 2121. For the report, see 52nd Congress, 1st Session, *House Reports*, No. 736, vol. 3 (Government Printing Office, 1892).

For the documents cited, see pp. 14-20.

3. *Congressional Record*, vol. 23, part 7, p. 6484. The report is given in 52nd Congress, 1st Session, *Senate Reports*, No. 1023, vol. 5.

4. *Ibid.*, pp. 8-9.

1894 adopted the Joseph report of the preceding year verbatim.⁵ After recommending certain alterations in the bill introduced by Senator John H. Gear of Iowa the report made by Senator Cushman K. Davis of Minnesota in 1896 adopted the Carey report of 1892, including the reference to General Kearny's proclamation.⁶ There is no evidence that any of these committees made a serious effort to ascertain the sentiment of the people of New Mexico. When the Carey report was presented to the senate, Orville H. Platt pointed out that it was not a unanimous report, and that he had not been able to bring his mind to assent to it. The Connecticut senator said: "There are various statistics and facts bearing upon the question whether New Mexico is entitled to admission which I have not been able to obtain. The census office and the commissioner of education are not prepared to furnish us with data for which we ask."⁷ He therefore served notice that he might file a minority report at the commencement of the next session. Meanwhile he secured the adoption by the senate of a resolution that the committee on territories or a sub-committee should visit New Mexico during the recess to obtain information.⁸ Territorial newspapers commented on the coming investigation,⁹ but for some reason it was never made.

When Joseph presented a thirty-seven page report to the house on October 31, 1893, he devoted a single paragraph to statehood. He said that "In order to test the sentiments of the people of New Mexico," Governor Thornton had called a statehood convention which met in Albuquerque on Sep-

5. The Blackburn report was made on Aug. 3, 1894. *Congressional Record*, vol. 26, part 8, page 8141. The report is given in 54th Congress, 1st Session, *Senate Reports*, No. 628, vol. 14 (Government Printing Office, 1895), p. 1.

6. Senator Davis made his report on March 19, 1896. *Congressional Record*, vol. 28, part 3, page 2960. The report is given in 54th Congress, 1st Session, *Senate Reports*, No. 520, vol. 3 (Government Printing Office, 1896). See especially pp. 3, 7-10.

7. *Congressional Record*, vol. 23, part 7, p. 6484.

8. *Ibid.*, pp. 6525, 6875.

9. The *Las Vegas Daily Optic* expressed the opinion that the trip would prove "a mere junketing affair, for which there is about as much need as there is for a trip to the moon. What a senatorial party, on a palace car excursion through New Mexico, can learn of this Territory, we already know from experience. It is absolutely nothing." *Optic*, April 12, 1893.

tember 20. This had been attended, according to the delegate, "by more than 600 delegates, representing every political party in the Territory, as well as every county, in New Mexico, . . ." This body had passed resolutions requesting congress to pass the bill under discussion. Joseph concluded "that the present bill met with the unanimous approbation of that convention. This demonstrates the intense desire of the people of New Mexico for admission into the sisterhood of states."¹⁰

This statement is certainly more to the point than 100 per cent of the remainder of this report and all the others made during the nineties. It does not, however, warrant the conclusion which the delegate drew from it. Contemporary newspapers show that enthusiasm for the admission of the territory was not the sole magnet which drew these representatives together.¹¹ Possibly the territorial fair and the southwest silver convention were more important attractions. The *Las Vegas Daily Optic* featured the silver convention more prominently than the statehood meeting, the only reference to the latter being an account on the last page taken from the *Albuquerque Morning Democrat*. Little emphasis was placed on the size of the gathering or its representative character. Evidently some of the citizens of the territory were interested enough to get together for a statehood rally in 1893, but this does not prove that the people of New Mexico had an "intense desire" to see the territory a state.

Committee reports on statehood bills during the nineties were so repetitious and antiquated that it is not surprising to find that the territorial press paid scant attention to them. Advance information that a favorable report was expected was usually given, but no attempt was made to analyze the document when it appeared. Everything else, however, connected with the cause of statehood was news.

10. 53rd Congress, 1st Session, *House Reports*, No. 155, vol. 1 (Government Printing Office, 1893), p. 16.

11. *Optic*, Sept. 21, 1893. See also *Albuquerque Democrat*, Sept. 20, 1893; *Albuquerque Citizen*, Sept. 20, 1893.

The ups and downs of a succession of bills furnished column after column of copy. Perhaps the "signs of the times" indicated strongly that the next congress would admit New Mexico to the union, as the Silver City *Enterprise* for October 19, 1891, opined. Again some territorial leader might release an interview, as W. C. Hazledine did two months later, predicting that no attempt would be made to get New Mexico admitted until after the presidential election.¹² Evidently party leaders felt that the politics of New Mexico were so uncertain that they were unwilling to run the risk of giving the opposing party four votes in the electoral college and two in the senate. Little attempt was made by the territorial press to point out the differences between different statehood bills. A few exceptions were noted, however. Thus in January, 1892, the Deming *Headlight* published the text of a bill introduced by Joseph, declaring that examination would show that it was carefully drawn and fully met "many objections heretofore urged against suggested measures for the admission of New Mexico."¹³ The following year the press explained the distinction between this bill and one pending in the senate. The former provided merely that English should be taught in all public schools in the new state;¹⁴ the latter that these schools should be conducted in the English language. Evidently some senators were afraid that the schools of New Mexico might be conducted in a foreign tongue. The delegate, however, refused to accept the senate bill, so the *Optic* concluded: "The chances of New Mexico's admission by the present congress . . . is so slim that one might safely bet billions to buttons against it."¹⁵

In December, 1891, when Platt became chairman of the senate committee on territories, the *Denver Republican* pronounced this gratifying news to the people of the West, since he had previously shown much interest in the admission of the northwestern territories.¹⁶ Two months later, however,

12. *Santa Fé New Mexican*, Dec. 7, 1891, quoting the San Francisco *Examiner*.

13. *Optic*, Jan. 26, 1892, quoting the Deming *Headlight*.

14. For the text of the bill, see *Congressional Record*, vol. 23, part 6, p. 5086.

15. *Optic*, Feb. 6, 1893.

16. *New Mexican*, Dec. 18, 1891, quoting *Denver Republican*.

New Mexicans returning from Washington reported that Platt and Quay—"two powerful senators—were opposed to the admission of the territories on the ground that they are not yet . . . prepared for self-government."¹⁷ The territorial press also showed great interest in the attitude of the chief executive. Thus in October, 1891, both the *New Mexican* and the *San Marcial Reporter* printed stories to the effect that President Harrison would recommend the admission of the territory to the union. The former paper stated that the report came "on very good authority,"¹⁸ while the latter added: "He has certainly shown more interest in our affairs than any previous chief executive of the nation."¹⁹ As chairman of the senate committee on territories, the Indiana statesman had shown unusual interest in the qualifications of candidates for statehood, but, in spite of this, readers of his message failed to find the expected recommendation for New Mexico. If the press failed to predict the course which Harrison took, they found Cleveland still more baffling. In December, 1893, the *New Mexican* predicted: "Congress may pass as many bills for the admission of new states as it pleases, but it is dollars to doughnuts that President Cleveland will veto every one of them. He has no desire to see the silver cause strengthened by the election of additional senators and representatives from the far west."²⁰ The following spring, the *Optic* quoted Colonel Bean, a former delegate to congress from Arizona, as having expressed the opinion that it was useless for any of the territories to knock at the door of congress for admission, since Cleveland had declared that he was opposed to "admitting any more mining camps."²¹ Three months later, however, several of the territorial papers featured a story of an interview which Joseph had with the president. "The president," so this account ran,

17. *Optic*, Feb. 8, 1893.

18. *New Mexican*, Oct. 6, 1891.

19. *Ibid.*, Oct. 20, 1891, quoting the *Reporter*.

20. *New Mexican*, December 19, 1893, quoting the *Denver Republican*.

21. *Optic*, April 7, 1894. Curtis Coe Bean was delegate to Congress from Arizona from 1885 to 1887. *Biographical Directory of the American Congress, 1774-1927* (Government Printing Office, 1928), p. 683.

told Delegate Joseph he would sign the bill. He said that New Mexico deserved statehood more than any of the remaining territories. He referred to the promise made to old Mexico at the time of the cession. That promise was that statehood should be conferred on the ceded territory as soon as practicable. The president said that it was high time the pledge was redeemed.²²

All of which sounded so convincing that it is small wonder that democratic leaders in the territory immediately began to talk of sending Joseph and Fergusson to the senate! This, however, proved premature, since, when congress convened in December, the *Optic* reported: "It now comes by wire that his supreme highness, the autocrat of the white house, has given it out cold that he will not sign any more statehood bills."²³

The amount of newspaper space devoted to the statehood movement during the nineties indicates that this subject was of popular interest to newspaper readers in the territory. It does not, of course, prove that the masses of people favored the admission of New Mexico to the union. According to the census of 1890, 44.49 percent of the population of the territory over ten years of age were illiterate.²⁴ Taking the United States as whole, 24.28 percent were under nine years of age.²⁵ As the percentage of children among the native-born population was even larger, and New Mexico possessed few foreign-born, we may assume that at least 24.28 percent of her population was under *ten* years of age. The omission of these two groups would lead to the conclusion that not more than 30 percent of the citizens of New Mexico could have been newspaper readers in 1890, although there was a slight increase during the decade. What proportion of this group favored statehood it is impossible to say.

22. *Optic*, July 9, 1894; *Silver City Enterprise*, July 13, 1894. Both papers cited the *St. Louis Globe-Democrat*. See also the *Optic*, July 12, 1894.

23. *Ibid.*, December 11, 1894.

24. *Eleventh Census of the United States: 1890*, vol. 1, part II (Government Printing Office, 1895), p. 2.

25. *Ibid.*, part I, p. XV.

Thus the statehood convention of 1893, together with the newspaper space devoted to the cause, point to the conclusion that some of the citizens of the territory were actively interested in seeing New Mexico become a state. They do not, however, rule out the possibility that many citizens were either indifferent or hostile to statehood.

Of course, popular indifference to statehood, was not confined to New Mexico. Thus, Minnesota, in spite of its rapid growth in population in the middle 1850's, had been "in no hurry for statehood." "This," says a recent historian, "was due in part to the light territorial tax burden and the liberality of the federal government."²⁶ Apparently, however, their indifference was easily dissipated. The authority cited described the movement in a single paragraph, as follows:

In 1857, however, Governor W. A. Gorman made a vigorous appeal in favor of statehood. As long as Minnesota remained a territory, he said, it could not borrow money, nor could it expect grants of land for railroads. He also argued that a railroad ought to be built through Minnesota to the Pacific, and that this could best be accomplished through statehood. "There is no great interest," he said, "in which Minnesota has so heavy a stake to be won or lost, as in the Pacific railroad. It may be constructed so as to make us one of the wealthiest states in the Union. . . . A Pacific railroad will be a road to India. It will bring us in contact with six hundred millions of people . . . The millions of wealth that has for ages doubled Cape Horn will pass through the center of the continent." This argument apparently aroused the territorial leaders to action, and the following year Minnesota became a member of the Union.

The statehood movement in New Mexico did not advance with any such lightning rapidity. Territorial editors and politicians worked for years to bring the people of the territory to "demand" admission to the union. Success always

26. Carman, Harry J., *Social and Economic History of the United States* (Boston, 1934), vol. II, p. 195.

seemed just around the corner, but years were to pass before a new star was added to the flag. The resulting movement was not a steady growth but rather a series of cycles. Whenever popular interest seemed to strike a new high and party leaders keenly anticipated the wearing of senatorial togas, some catastrophe would give the movement a setback and blast their hopes completely. Thus in 1889 and 1890 when congress created five states in the Northwest, republican leaders in New Mexico had prepared to seize their great moment by drafting a constitution designed to assure them control of the legislature which would elect the senators for the new state. But alas! Their cleverly drawn instrument of government was defeated by a popular vote of two to one, and all their hopes turned to ashes. And, when these hopes had revived slowly but surely, the democrats were to "steal the legislature" five years later and again kill the statehood movement—until it revived by a boom at the turn of the century.

Doubtless many of the citizens whose adverse votes defeated the constitution of 1890 were in favor of statehood itself, but their enthusiasm for the cause was overshadowed by religious prejudice or unwillingness to sacrifice party advantage. Likewise, our study of the next decade will reveal a recurring unwillingness to accept statehood when it meant an advantage for the other party. In addition, however, there was opposition to statehood in itself.

Editorials in the republican territorial press in the early nineties were extremely pessimistic in tone. Thus the *New Mexican* for March 5, 1891 declared that the outlook for statehood was "none too bright," considering "the recent defeat of a very excellent, liberal and fair constitution through venomous partisanship, slanders, lies, superstition and ignorance . . ." Usually a strong champion of statehood, the Santa Fé paper sadly admitted that "the people of New Mexico are not as well fitted for statehood as we ourselves thought . . ." ²⁷ Statehood had gone "a glimmer-

27. *New Mexican*, Nov. 21, 1890.

ing,"²⁸ and it seemed doubtful if the time would ever come when it would be seriously considered "by earnest men." Judging "by the lawlessness and dishonesty displayed by the democratic leaders and bosses in New Mexico," it seemed to the *New Mexican* "as if a territorial condition was to be preferred anyway till there are 1,500 more miles of railway in this territory."²⁹

Pointing out that the democrats had begun to "talk statehood" less than a month after the referendum on the constitution of 1890, the *New Mexican* said: "go to, none of that in ours; the people of New Mexico by a large majority have said, they did not want to be a state, and as far as this paper is concerned, the verdict will stand for the time being."³⁰ A year later the Santa Fé paper had nothing but sneers for the efforts of the democrats. It said: "The bosses on the Democratic-White Cap central committee are agitating the question of the admission of New Mexico into the sisterhood of states; wonder what corrupt job they are up to?" This insinuation elicited a reply from the *Deming Headlight*, edited by Ex-Governor Edmund G. Ross, which said:

Since the defeat of the bastard constitution of two years ago, in which the people of New Mexico so vigorously sat upon its attempt to re-establish the old Santa Fe gang in perpetual authority, the *Santa Fe New Mexican* never omits an opportunity to give the statehood question a spiteful but impotent kick. . . . Statehood will come, all the same inside of two years, and it will be a people's, not a ring's, statehood.³¹

Before long, however, the republican papers of the territory were beginning to recover from their post-election "blues," and to look forward to better days. Thus the *New*

28. *Ibid.*, Jan. 2, 1891.

29. *Ibid.*, Nov. 26, 1890.

30. *Ibid.*, Oct. 10, Nov. 25, 1890.

31. The editorial from the *Headlight*, together with its quotation from the Santa Fé paper, appears in the *New Mexican*, Oct. 19, 1891. The article is entitled "What One of the Principle Boodle Organs and Defender of Ballot Box Thieves Thinks of the *New Mexican*."

Mexican for May 21, 1891, declared: "We believe in New Mexico. We have faith in her people, and consider the day not far distant when here must be erected one of the star states in the sisterhood."

Seven months later the *Albuquerque Citizen* observed:

In New Mexico there has been during a year and a half a remarkable change in the minds of the people with regard to statehood, and if the question could now be submitted to them they would emphatically express their desire for self-government. . . .³²

Less than a year later the *Optic* stated that "all the indications" pointed toward the admission of the territory during the winter.³³

Newspapers in the territory constantly asserted in their editorials that the people of New Mexico were in favor of statehood. Such claims were sometimes accompanied by statehood arguments, or by liberal estimates of the proportion of the population claimed for the statehood camp. No proof was ever given, or even a hint as to how the editor arrived at his estimate. Evidently this was a mere guess, the result not of the scientific methods of the statistician but of the wishful thinking of the propagandist. A few quotations may serve to illustrate the bold way in which Max Frost and his fellow editors in the territory strove to build up the case for New Mexico.

The *Optic* asserted in the spring of 1892: "New Mexico wants statehood. Her people are more than nine to one in favor of it."³⁴ The *Albuquerque Morning Democrat* added: "New Mexico is fully qualified for statehood. It has population and wealth enough to maintain a state government, and the people want that kind of a government. They are tired of being governed as the inhabitants of a province, and that is all that a territory is."³⁵ "Four out of five" seemed to be

32. *New Mexican*, Dec. 16, 1891, quoting the *Albuquerque Citizen*.

33. *Optic*, Oct. 13, 1892.

34. *Optic*, May 12, 1892.

35. *Albuquerque Morning Democrat*, June 23, 1892.

a favorite expression with the *New Mexican*. Almost at the close of the year 1895, that paper declared that four fifths of the people of New Mexico favored statehood and hence must bear the brunt of Catron's tactical blunders in congress.³⁶ Three days later—strange to say—possibly because of appropriate New Year's celebrations by the editor—this estimate had been reduced to "Four out of five of the Democratic voters of New Mexico . . ."³⁷

Friendly newspapers outside the territory echoed the refrain in their editorials. Thus early in the campaign year of 1894, the *Denver Republican* remarked: "The Republican National Committee has taken the right stand in urging the admission of Utah, Arizona, New Mexico and Oklahoma. Each of them are ready for statehood. Each has sufficient population and wealth, and the inhabitants desire the right to erect state governments."³⁸ A week later the *Pittsburgh Despatch* spoke of the attitude of the native people of New Mexico as follows: "of the population a large majority is of Spanish and Mexican blood, the leaders of whom are enthusiastically in favor of admission, although in past years they have opposed it."³⁹

The claim that the people of New Mexico wanted statehood also frequently cropped up in the interviews given to eastern papers by visiting politicians from the territory. Thus in the fall of 1891 the *St. Louis Globe Democrat* printed an interview from T. B. Catron who was registered at a local hotel. The Santa Fé leader who was described as "one of the most prominent and best informed men in the Southwest," said:

The people of New Mexico, today, are a unit for admission as a state. This was brought about by the operation of what is known as the anti-alien

36. *New Mexican*, Dec. 30, 1895.

37. *Ibid.*, Jan. 2, 1896.

38. *Optic*, Jan. 17, 1894, quoting *Denver Republican*.

39. *Optic*, Jan. 24, 1894, quoting the *Pittsburgh Despatch*. The editor added: "A congress so anxious to create democratic states that it can swallow the tardy repentance of the Mormon church, should have no trouble in accepting the loyalty of the Spanish-American element to the United States."

law. The law was passed on March 3rd, 1887, by Congress, prohibiting all aliens and alien corporations from owning real estate in the Territory, including mine property, and it drove most of the foreign capital away.⁴⁰

In January, 1894, the *Denver Republican* printed an interview with another Santa Fean, W. M. Berger—late registrar of the land office—who represented “the people of all parties as ripe for statehood.”⁴¹ In June of the following year, the *New York Commercial Advertiser*, gave wide publicity to a long interview with Governor W. T. Thornton. That gentleman, who was described as a typical westerner, although not “a typical hustler,” painted a rather bright picture of the future of the territory as a health-center and a land of irrigated farms and mines. In concluding his remarks, he said: “Irrespective of political parties, all who are interested in the welfare of New Mexico desire her to have statehood, and it will not be long before this boon will be granted her.”⁴²

Without doubt, pro-statehood leaders worked in season and out to foster the idea that the people of the territory demanded the immediate admission of New Mexico to the union. When one such leader apparently neglected to make this claim, a New Mexico editor supplied the deficiency. The gentleman referred to was Hon. Luis Sulzbacher of Las Vegas, a lawyer who had come out to New Mexico twenty-five years previously. While on his way to Washington to work for statehood in the spring of 1894, he gave an interview to the *Pittsburgh Leader*. This was reprinted in his home town paper with the headlines: “Sulzbacher on Statehood. It is an Imperative Necessity for the Progress of the country and the people are in Favor of it.”⁴³ Thus the ingenious editor added an important argument which the honorable gentleman had apparently forgotten to mention.

If the people of New Mexico wanted statehood in the

40. *Optic*, Sept. 23, 1891, quoting *St. Louis Globe-Democrat*.

41. *Optic*, Jan. 15, 1894, quoting *Denver Republican*.

42. *New Mexican*, June 29, 1895, quoting *New York Commercial Advertiser*.

43. *Optic*, April 10, 1894, quoting the *Pittsburgh Leader*.

early nineties, it is quite evident that they did not desire it strongly enough to lead them to work together for the prize. The *Denver Republican* repeatedly lectured its southern neighbors on this lack of team work. In January, 1892, the Colorado paper expressed surprise that anyone in New Mexico should oppose statehood. It voiced the opinion that if the people of the territory united in a request for admission, congress would pass an enabling act.⁴⁴ The year before this, the *Republican* declared that unless the people of New Mexico settled their differences and united in a petition for admission, they would be left out of the union, while Arizona would get in.⁴⁵ In the spring of 1895, the *Optic* said that the Denver paper hit "a hard blow at some of the New Mexico papers, which turned against statehood because of political spleen, . . ." It argued that it was "so evident" that New Mexico should be admitted that there would probably not be much opposition in congress. The *Republican* concluded: "the people of that territory should agree among themselves, on the conditions under which they may seek admission, for dissention might prove an obstacle to the passage of an enabling act. Every man in New Mexico should favor admission, and all should work heartily to accomplish that result."⁴⁶

Enthusiasm for statehood, however, was a sort of hot-house plant, easily chilled when there was any prospect of advantage for the other party in the wind. While both democratic and republican newspapers claimed that a large proportion of the citizens of the territory wanted statehood, they made it clear that this was on the condition that their party or their locality should not lose—even temporarily—by the change. Thus early in January, 1893 its Santa Fé correspondent wrote the *Optic* that the people of the ancient city "all wanted statehood, but we will serve notice, now that the new constitution, when submitted for adoption, must not be weighted down with the relocation of the capitol on its

44. *Optic*, Jan. 20, 1892.

45. *Optic*, Sept. 16, 1891.

46. *Optic*, March 8, 1895, quoting the *Denver Republican*.

back.”⁴⁷ Shortly after Cleveland’s second inauguration, the Deming *Headlight* asserted that it was “not opposed to statehood, *per se*, for New Mexico; but thinks that the time for admission has not yet come. People and conditions must be brought up to a higher and different standard.”⁴⁸ The editor added that these had been his views for a long time. The following January, when there was talk of drawing up a new constitution for New Mexico, the *Headlight* announced that it would favor “any constitution which is not prepared in the interests of mere politicians, time-servers and speculators.” After quoting this dictum of Editor Ross, the *Optic* declared that it favored statehood “under any circumstances, and only wishes that it could be hastened by a year.”⁴⁹

Apparently this staunch republican journal did not approve of trifling with whatever chance there might be for the territory to slip into the union. Shortly before the election of 1892, the *Optic* had declared that even Delegate Joseph saw that statehood “would receive its death blow by the election of a democratic legislature,” and had “advised his party, on his return from Washington City, to surrender the legislature to the republicans, as a necessary measure for securing statehood.”⁵⁰ But “that party” the *Optic* declared “cared more for the emoluments of office than for the prospects of statehood, and so repudiated the wise suggestion of their leader. Loss of statehood, then, would be an undeniable result of electing a democratic legislature.”

Long before the campaign of 1894 was over, however, the *Optic* forsook its “statehood at any cost” principles—if, indeed, it ever really entertained them, and placed party advantage squarely above the admission of the territory to the union. This tendency of statehood sentiment to evaporate in the presence of adverse circumstances may be demonstrated by a brief discussion of this campaign and its aftermath. The fact that the territorial conventions of both

47. *Optic*, January 3, 1893.

48. *Optic*, March 14, 1893, quoting Deming *Headlight*.

49. *Optic*, Jan. 2, 1894.

50. *Optic*, Oct. 18, 1892.

Santa Fe, N. M., Feb. 19 1941

Mr. W. T. ...

San Jose ...

TO THE ARCHAEOLOGICAL SOCIETY OF
NEW MEXICO, DR.

To Annual Dues from 1-1-41 to 1-1-42, \$ 2.00.
Includes subscription to *El Palacio*.

Received payment,

Assistant Secretary

political parties had declared for statehood would seem to suggest the existence of popular support for the movement. It would also seem to have removed the question from politics; nevertheless, it was an important issue in the campaign. In May the *Optic* predicted a republican victory, citing among other factors "the democratic juggling with statehood, by which New Mexico has been purposely kept in the territorial condition . . ." ⁵¹ In their platform the republicans declared that their party had persistently favored the admission of the territory, and accused the democrats of bad faith for "refusing to redeem its pledges of two years ago, to give us statehood." ⁵² Their opponents, however, were said to be "trying to capture votes by the plea that the best way to promote the admission of the territory is to give the Democrats a majority." ⁵³ That party was in power in Washington, and a correspondent there wrote the *Santa Fé Republican* that "unless the territory returns a handsome Democratic majority, this congress will not grant statehood to New Mexico." ⁵⁴ Referring to this despatch, the *Optic* added the comment: "The rich prize of statehood is dangled before New Mexico and Arizona to persuade them to vote the Democratic ticket, and disregard the free wool, free lead and discredited silver clauses of the tariff and silver bills."

Antonio Joseph, who was serving his fifth term as delegate to congress, was a candidate for reëlection on the democratic ticket. Even republicans at times explained his long service in the national capital on the ground that he was "the most popular man in the territory." ⁵⁵ Thomas B. Catron was the republican standard bearer. Prior to the

51. *Optic*, May 25, 1894.

52. The text of the platform, which was drawn up by the territorial convention at Socorro, Sept. 20, 1894, is given in the *Optic* for Sept. 21, and Oct. 19.

53. *Ibid.*, Sept. 26, 1894. The *Optic* added: "This plea may catch some votes, though its honesty is open to question. Since the bill has already passed the Democratic house, it might be better policy to consider the effect of the election on the Republican Senate." See also the *Optic* for Oct. 13 for a similar editorial from the *Denver Republican*.

54. *Ibid.*, Aug. 30, 1894.

55. *Optic*, March 31, 1892.

nominations, the *Optic* had declared that the Santa Fé leader, while "an able and brainy man, could scarcely be expected to win, even if the democrats should again nominate the champion do-nothing Joseph."⁵⁶ This opinion was based on the fact that Catron had made the race two years before and had been defeated, his opposition to the Kistler school law in 1889 and his reputation for being more interested in land grants than in the welfare of the territory. Joseph's popularity, however, could not keep sheep raisers and mining men from feeling that democratic policies had "knocked the bottom out of their business."⁵⁷

During the campaign the *Optic* vigorously fought the "little scheme to get the Republicans to concede the [office of] delegate to the Democrats on account of the promise of statehood."⁵⁸ The Las Vegas paper declared: "Statehood is not so great a boon as to be purchased at the price of Democratic dominancy. In fact, it is doubtful if we want statehood under Democratic rule. Much of the future of any state depends upon the character of the state government with which it begins its career. Let us, then put off statehood until after New Mexico is redeemed from the thralldom of democracy."⁵⁹ A little nearer election the *Optic* stated briefly but boldly "Republican success is more valuable now than immediate admission."⁶⁰

When the campaign was finally over, Catron had been elected delegate by a plurality of over 2,700 votes.⁶¹ The Las Cruces *Democrat* admitted that the election was a corrupt one, and testified to the general desire to hush up such matters for fear of damaging New Mexico's chances of early admission to the union. The *Democrat* said:

56. *Ibid.*, June 25, 1894.

57. *Optic*, June 8, 1894.

58. *Ibid.*, Sept. 29, 1894.

59. *Ibid.*, August 29, 1894.

60. *Ibid.*, Oct. 2, 1894.

61. Catron to F. M. Cox, Nov. 16, 1875. Catron received 18,113 votes, while Joseph received 15,351. Catron was writing to furnish data for the Congressional Directory.

The saturnalia of drunkenness, debauchery, bribery and corruption called an election in New Mexico has come to an end for the present, . . . If any stranger, observing the damnable corruption of our political campaign, ventures to speak or write the truth . . . , we all jump upon him with both feet, shriek that he is a malignant libeller, and swear that our people are the most incorruptible on earth. Why? Because, forsooth, the publicity of the facts might hamper us in the struggle for statehood.

The editor declared that he did not hold the native Spanish-American voters responsible for this condition, but rather American politicians who have taugth him

. . . . that the suffrage is a commodity, exchangeable in open market for provisions, clothing, whiskey, or cash, and when a poor devil can secure provisions for his family for two or three months by simply placing in a box a slip of paper that means absolutely nothing to him so far as he knows, who can blame him?⁶²

With such an election it is easy to see how doubt might arise—or be cultivated—as to who had been elected to the legislature. The republicans claimed a number of seats; in fact, the *Optic* declared that there was not the least doubt that they had a majority of the legislature.⁶³ When that body convened on December 31, 1894, however, the democrats proceeded to organize the legislature according to a carefully laid plan. Lorion Miller, the secretary of the territory, a democrat appointed by President Cleveland, simply refused to swear in certain gentlemen who claimed to have been duly elected.⁶⁴ Apparently his determined attitude was made more effective by the presence of a sheriff with a posse of armed deputies.⁶⁵ The result was that eleven republicans walked out of the house, and the democrats were left in complete control.

62. *Optic*, Nov. 12, 1894, quoting *Las Cruces Democrat*.

63. *Optic*, Dec. 26, 1894.

64. Albuquerque *Daily Citizen*, Jan. 16, 1895, quoting the *Denver Republican*.

65. Albuquerque *Daily Citizen*, Jan. 2, 1895.

It was a fore-gone conclusion that the result of the election and the "steal" of the legislature would affect statehood sentiment, stimulating it in some quarters while killing it in others.⁶⁶ The democrats quite naturally thought the prospect very bright.⁶⁷ Governor Thornton devoted a full page of his message to the legislature to the aspirations of his people for statehood. Declaring that "For more than forty years our people have labored continuously and arduously for admission to the sisterhood of states," he complained that their "wishes" had been "ignored." He added:

Defeat and disappointment in the past have in no degree dampened the ardor and enthusiasm of our people for statehood and independent self-government; we are as anxious as ever for statehood today, and our hearts are filled with hope that success is about to crown our efforts, . . . ⁶⁸

While the governor failed to mention it, republican newspapers were ready to suggest that one of the hopes which excited the territorial democracy at the moment was that of sending Fall and Fergusson to represent the new state in the United States senate.⁶⁹ Indeed, possibly this was the chief purpose of the coup d'etat.

As for themselves, republican papers lost all interest in immediate admission. Several did not wait for the legislative steal before they attacked statehood. Rumors of democratic plans put them in opposition immediately. A few

66. *Optic*, Jan. 2, 1895, quoting *Albuquerque Morning Democrat*. In defense of the legality of the proceedings, the *Democrat* said: "According to a decision of the Supreme Court of the United States, the only lawfully qualified members of a legislative body, are those who have been sworn in by the secretary of state or territory." The *Optic* declared that the *Citizen* was "taking things pretty badly because the loss of the prospect of being public printer seems to have gone to the brain. The fact is that the democrats had a good opportunity to capture the legislature—an exceedingly good one—and they used it: just as the republicans would have done, had the tables been turned, and just as the republicans had captured several previous legislatures. *Ibid.*, Jan. 3, 1895.

67. *Albuquerque Morning Democrat*, Jan. 5, 1895.

68. *Proceedings of the Legislative Council of the Territory of New Mexico: Thirty-first Session* (Santa Fé, 1895), pp. III-IV.

69. *Optic*, Jan. 7, 1895.

quotations will reveal something of the bitterness with which they regarded the situation. On November 19, the *Optic* declared that unless elections could be made pure, "New Mexico neither deserves nor should receive statehood." Shortly before Christmas the Clayton *Enterprise* remarked: "There will be little opposition to statehood, if common honesty prevails in the organization of the legislature."⁷⁰ On December 24, the *Optic* commented: "The general assembly convenes in Santa Fe a week from today. Statehood probably hinges on the manner of its organization." Two days later the *Optic* added: "A number of New Mexico papers continue to 'nurse their wrath to keep it warm,' over the prospect of the Democrats stealing the approaching legislature."⁷¹ We give three characteristic extracts:" These—somewhat abbreviated—are as follows:

Rumors are rife in our exchanges, charging that the Democrats will attempt to organize both branches of the legislature, by fair means if possible, by foul means if the deed cannot be done otherwise. *Rincon Shaft.*

No greater calamity can befall New Mexico than to be admitted to statehood under its present management. The expressed will of the people is to be trampled under foot, the honest voters are being insulted and publicly denounced, by the recognized organ of the officials; religious fanaticism is appealed to in the hope of bringing on contention and strife, and then we are told that such men are fitted to lead honest and decent men into statehood affairs. *Raton Range.*

The only thing left to secure the defeat of the ringsters who have determined to usurp authority in this territory is to solidly unite and defeat the state constitution when it is submitted. This will knock their schemes too dead for resurrection, and save the people from the ills of being controlled and outraged by a ring of tricksters, who would plunge the young state into hopeless bankruptcy. *Albuquerque Citizen.*

70. *Optic*, Dec. 20, 1894, quoting the Clayton *Enterprise*.

71. *Optic*, Dec. 26, 1894.

The Raton *Range* had taken a strong stand soon after the election. The *Optic* for November 23, 1894, gave the attitude of the Colfax county paper in an item entitled "Not Fit for Statehood." The *Optic* said:

The Raton *Range* has never favored statehood; but now it is more opposed than ever, owing to election frauds and Democratic methods. Capt. Collier says:

God forbid that New Mexico should become a state until we can be assured of reasonably fair officials and ordinarily decent government. Neither can be expected from the outfit now disgracing the territorial management.

If the present damnable program is carried out, and the fairly elected representatives of the people are deprived of their positions by the Democratic-federal officials, we don't believe New Mexico is fit for statehood or capable of self-government, if they submit to such treatment, without a struggle.

We appeal to every fair-minded man to watch the proceedings of the organization of the next territorial legislature. And if their honestly-elected representatives are denied their seats, let them organize and unite to defeat statehood until two years hence, when the dishonest officials now yielding power to the detriment of the territory, will be swept into everlasting oblivion.

The chorus of republican newspapers throughout January, 1895, was that "statehood is dead." The *Rincon Shaft* made the sarcastic suggestion "that the native New Mexican people memorialize Congress at once, protesting against statehood, the main reason being that the eastern-born people, now claiming citizenship in the territory, are not fitted for that important chance, and are not capable of governing themselves."⁷² "Bippus," the Albuquerque correspondent of the *Optic*, said in his column for January 14:

But what of statehood, now? The spectacle of a five for a nickle demagogue like Miller, setting at

72. *Optic*, Jan. 5, 1895, quoting the *Rincon Shaft*.

defiance, not only the will of the people as expressed at the polls, but also law, order, and common decency, is not calculated to inspire the senators in Washington with a desire to give statehood to a people who quietly permit such political shysters to defraud them of their rights, and by that fact prove that they are not capable of self-government. The present indications are that statehood is a dead issue, killed by the very schemers who expected to reap the lion's share of office and plunder.

The *Albuquerque Citizen* for January 17, predicted that if a state constitution were submitted to the people it would be defeated. The *Citizen* said:

The *Citizen* clearly, plainly and forcibly stated that it would help defeat statehood, if the Democrats overrode law and justice in organizing the present legislature. The secretary and his willing tools did what they said they would do, and the result is that people of New Mexico are in a frame of mind to defeat the proposed constitution when it is submitted. They are convicted that to vote for statehood would only be a perpetuation of power of the disreputable gang who are now illegally in the majority in both branches of the legislature, and give them an opportunity to bankrupt the new commonwealth by the reckless use of the public credit.

If the enabling act passes, Mr. Miller will be the returning board to count in the members of the constitutional convention. His scoundrelism is so evident and clearly proven, that no one can doubt that he would count in the gang who would serve his interests, and the proposed constitution would be a patchwork of ignorant partisanship. This territory would be benefited by statehood if the state would be organized on honest business principles, but this paper believes that it is serving the people by its present course, and will follow it till convinced that a different policy is conducive to the public good.

After referring to recent "outrages" in New Mexico, the *Denver Republican* predicted about the middle of January that statehood would be "in danger of being killed in

New Mexico itself if there were no assurance of an honest count and canvass of the votes cast at the first election to be held under the new state government."⁷³ The Colorado paper added: "Better to be ruled from Washington as a province than to let fraud at elections defeat the popular will."⁷⁴ Doubtless "Bippus" heartily echoed this sentiment. After criticizing the acts of the legislature, especially the Hinkle school fund bill, he said on January 21:

The most earnest advocate of statehood must admit that the present legislature has demonstrated the fact that statehood, if now conferred, while the disreputable gang controlling the machinery of government is in power, means ruin for our territory; and that it will put us back at least fifty years behind the march of progress and civilization.

While many of the territorial newspapers diligently sought to spread the idea that the great majority of the citizens of New Mexico favored statehood, they did not cling to this view consistently. Thus the *Optic* departed from its usual point of view early in January, 1893. In his message to the legislature, Governor Prince had presented the subject of statehood and urged that an appropriate memorial be sent to congress.⁷⁵ In his peroration Prince said:

Our people are mainly the descendants of the two great nations which insisted on the rights of the people in England under Magna Charta, and drove the Moors out of Spain that self-government should reign there. They are the children of the patriots who fought for the independence of the United States in 1776, and of Mexico from 1810 to 1821. Surely the sons of such sires must be capable of self-government!⁷⁶

⁷³. *Optic*, Jan. 19, 1895, quoting the *Denver Republican*.

⁷⁴. Another editorial from the *Denver Republican* is given in the *Albuquerque Daily Citizen*, Jan. 16, 1895.

⁷⁵ *Proceedings of the Legislative Council of the Territory of New Mexico: Thirtieth Session* (Santa Fé, 1893), pp. vii-x.

⁷⁶. *Ibid.*, p. x.

There was nothing unusual about the governor's remarks, but the comment which they provoked was quite significant. The *Optic* said:

The message of the governor argues ably and unanswerably in favor of statehood. It cannot be denied that New Mexico has every requisite for admission into the union. The governor, however, neglected to say whether the native people of the Territory desire statehood. That is a point now receiving a good deal of attention. Many believe that the masses of the native people do not wish statehood, and that, if Mr. Catron had announced himself as opposed to it, on that issue he would have overwhelmingly defeated Mr. Joseph. It is doubtful if many of the democratic leaders now desire statehood, since they are certain of the federal patronage in the territory. It may be, then, that the arguments in favor of statehood should be viewed from the other end of the line, and should be addressed to our own people rather than to congress.⁷⁷

The *Optic*, then, admitted that it was an open question whether the people of the territory wanted statehood or not.⁷⁸ Some of its contemporaries went still further and answered the query in the negative. Thus the Deming *Headlight* said on March 7, 1893: "It is only the politicians who are howling for immediate statehood. The taxpayers and people of the territory, generally, would vote down a statehood proposition, if it were submitted to them, tomorrow—precisely as they did two years ago. What our people are eager for is such a change of conditions as will make statehood desirable and acceptable. It is now openly urged all over the territory that the last legislature will constitute a standing argument against statehood for a long time to come."⁷⁹

77. *Optic*, Jan. 4, 1893.

78. See also *Optic*, July 23, 1894.

79. Cf. the following from the *St. Joseph, Mo., Herald*: "The proposition for admission comes, not so much from the people, as from the men who are desirous of attaining to the offices; . . ."

Quoted in *Optic*, Feb. 20, 1893.

That opponents of statehood talked much the same in Arizona and New Mexico was asserted by the *San Marcial Reporter* in November, 1891. The remarks were explanatory of the following item quoted from an Arizona exchange:

"I am a Hassayamper," said an old prospector yesterday in an Allen street saloon, "and I want it understood that the pioneers of this territory don't want any statehood. We came to this country before you youngsters came, we've had plenty to eat under our present form of government, and don't want a change. There were better times in our territory when beans were 50 cents a pound and onions 25 cents a piece than there have been since the railroads brought in a lot of Yankees. If the youngsters want to live in a state let them go back where they came from, and let we'uns who came here first have a little say."⁸⁰

Several weeks after the election of 1894 an editorial appeared in the *Optic* which discussed the attitude of the people with the greatest candor and frankness. The *Optic* said:

There is great talk of statehood for New Mexico and Arizona, by the press of the two territories, and by the political press of the general country. Yet there is considerable doubt whether the statehood proposition, if submitted to the people of the two territories, would carry in either. In Arizona, there is a large part of the people, without party distinction, who oppose statehood entirely on financial grounds. Whether in a majority or a minority, only an actual election can demonstrate. In New Mexico a very large and important element of the Anglo-American population have their doubts, serious and pressing, whether New Mexico is at present at all qualified for statehood; and it is generally conceded that the majority of the Spanish-American population are indifferent, if they do

80. *New Mexican*, Nov. 25, 1891, quoting the *San Marcial Reporter*. The latter paper added: "That sounds like the talk of New Mexico's 'breechclouters' who with the Democratic organization under the lead of Childers, Ross, et al., and the other enemies of free schools and progress, doomed New Mexico to an indefinite period of dependence and bondage."

not actually oppose the movement. It is certain, therefore, that even after congress passes an enabling act, statehood can be secured for New Mexico only by the united and harmonious and energetic efforts of both of the political parties.⁸¹

So far we have presented the opinion of contemporary newspapers that there was a considerable body of opposition to statehood among the people of New Mexico in the early nineties. Perhaps our readers have found the repetition tedious, but the evidence is cumulative and one or two samples would give no hint as to its quantity. Of course, all this is mere newspaper opinion, taken largely from the files of one paper. However, since the *Optic* normally fought for statehood, we hardly think that the editor would have overestimated the strength of the opposition. Perhaps, though, we should now strive to get away from generalities and indicate—a little more definitely—who these people were who opposed the admission of the territory to the union. While still relying largely on newspaper testimony, we can offer a little substantiating data from the Catron correspondence and from interviews with old timers.⁸²

As we shall mention a few names in the course of the discussion, perhaps we should caution the reader against jumping to any rash conclusions. Some opposed statehood because they were loyal party men who fell into line with the idea that it was good political strategy to do so at the moment. Others had more individual reasons for their attitude. Both groups had a right to follow the course of action which seemed best to them. Perhaps it was natural for enthusiasts to try to hush them up, but we today have no right to question the sincerity of their motives. It is all ancient history, anyway.

81. *Optic*, Nov. 20, 1894. On Dec. 10, the *Optic* said: "The *Cleveland Leader* says that the chances are that the territories of Arizona, New Mexico and Oklahoma will be admitted to the union before the end of the present session of Congress, in spite of their Republican majorities in the recent election." In commenting on this forecast, the Las Vegas paper concluded by saying: "Consequently, statehood seems assured, provided only the people shall be found to desire it."

82. Catron was a determined fighter for statehood for a number of years. See the *Review*, vol. xiv, pp. 28-30. Unfortunately old timers do not care to be quoted.

Probably the most persistent charge throughout the 1890's was that the federal officeholders in the territory were opposed to statehood. Thus early in 1894 the *Denver News* sized up statehood prospects for the western territories briefly as follows:

Utah, Arizona, and New Mexico are in imminent danger of being left out in the cold again until another congress meets. The administration is hostile to their admission because the eastern money power objects to more silver senators. The Republicans object to their admission for political reasons, and last but not least, the Cleveland office holders in the Territories are working secretly like beavers to prevent statehood and the loss of their official position.⁸³

Under the circumstances this charge was quite plausible and few governors of the territory escaped. Even Governor Otero, who was very active in the cause of statehood, was not immune. As late as January, 1903, he found it necessary to send the following telegram to a member of the legislature of California:⁸⁴

I understand that Senator Hahn of Pasadena, states that our people as well as myself are opposed to statehood for New Mexico. Such a statement, if made, is absolutely untrue. Delegate Rodey's majority last fall of nearly 10,000 on a statehood plank certainly expressed the wishes of the people on that question, and my attitude in favor of statehood of New Mexico is too well known to need any explanation on my part. My annual report to the interior department, messages to the legislature, and frequent calls for statehood conventions will thoroughly answer any such statement.

(Signed) MIGUEL A. OTERO,
Governor of New Mexico.⁸⁵

83. *Optic*, Feb. 5, 1894, quoting the *Denver News*. See also the *Albuquerque Morning Democrat*, March 15, 1895.

84. Senator W. H. Savage.

85. Otero, Miguel Antonio, *My Nine Years as Governor of the Territory of New Mexico, 1897-1906* (University of New Mexico Press, Albuquerque, 1940), p. 201.

For a fuller discussion of this charge with reference to Gov. Otero, see the *Review*, vol. XIV, pp. 24-25.

Evidently strong championship of the cause did not prevent leaders from being charged with opposition to statehood at times. Thus Colonel George W. Prichard had taken a prominent part in the movement in 1889 and 1890. He was not only a member of the convention to draw up a constitution for the proposed state, but had himself sponsored the bill in the council which provided for the calling of that body. Prichard had come to New Mexico in 1879,⁸⁶ and became a prominent lawyer and republican leader. Later he served for three years under Governor Otero as attorney general for the territory, and as a member of the constitutional convention of 1910. Yet in spite of this record, this leading citizen is said to have opposed the admission of the territory to the union in 1892. The charge was made by Catron in a letter to his friend, Senator Stephen B. Elkins of West Virginia. Having heard rumors of the resignation of James O'Brien as chief justice of the territorial supreme court, Catron was writing to recommend Sulzbacher for the place. He added:

I understand from the *Optic* that L. C. Fort, G. W. Prichard and Francis Downs are all applicants for this place. Prichard and Downs are both opposed to the State movement, because they know they will have no chance for preferment under it. Prichard formerly favored the State movement, but when he learned that O'Brien was liable to resign he changed his opinions and wrote a letter to Platt opposing it and abusing our people very severely. Downs is the man who was put in the jail, with others, by Axtell for contempt of court.⁸⁷

Since Catron was trying to promote the candidacy of one man at the expense of others, his testimony cannot be regarded as impartial. Prichard and his fellow lawyer, Downs, may have opposed the admission of the territory at a time when it seemed likely that the democrats would gain

86. Coan, Charles Florus, *History of New Mexico* (Chicago, 1925), vol. 3, p. 353.

87. T. B. Catron to S. B. Elkins, August 3, 1892.

thereby but we may be certain that the former, at least, was not opposed to statehood, *per se*.

In January, 1895, the rump territorial legislature adopted a joint memorial reciting the advantages of statehood and praying congress to grant New Mexico that great gift.⁸⁸ While this was a victory for the pro-statehood forces, it is clear that neither all citizens of the territory nor all members of the legislature were in favor of the action taken. The preamble is significant:

WHEREAS, Numerous reports have been sent out to the effect that the passage of the act pending in the Senate of the United States for the admission of the territory of New Mexico is not desired by the people of New Mexico, which said reports misrepresent the public sentiment in said territory: . . .⁸⁹

The memorial did not pass without opposition. The house journal reveals the fact that four members cast dissenting votes. The following account of the debate is taken from the Albuquerque *Democrat*:

A lively and interesting discussion ensued, developing that an overwhelming majority in the house favors statehood. Mr. Carr moved that the memorial be adopted and in so doing said: "Owing to recent disturbances familiar to all, there has developed a certain sentiment against statehood. I think, however, that we should have an opportunity to vote on this measure by obtaining the passage of the enabling act. I am and have been from the first a friend of statehood and do not propose to be driven from this position by partisan outcry. . . ."

Mr. Martin was opposed to the memorial and to statehood on the ground that it would raise our

88. This was House Joint Memorial No. 2. It was introduced by W. E. Dame of Santa Fé county. It passed the house of representatives on January 24, 1895. *Proceedings of the House of Representatives of the Territory of New Mexico, Thirty-first Session* (Santa Fé, 1895), p. 93. It passed the council on January 30, 1895. *Proceedings of the Legislative Council of the Territory of New Mexico: Thirty-first Session* (Santa Fé, 1895), p. 95.

89. *House Journal* (1895), pp. 92-93.

taxes much above the present figures. Mr. Pino said that he was indescribably shocked at the position of the gentleman from Socorro, Mr. Martin. He said that he could not conceive upon what principle so sensible a son of New Mexico as Mr. Martin could oppose statehood. Mr. Martin must have changed his views on the subject, for a few weeks back he was a most persistent and consistent friend of the statehood cause. He said that the position of the gentleman from Socorro was little short of treason in the interests of New Mexico. . . .

Mr. Martin said that he hoped lightning would strike him if he ever voted in favor of statehood. He said that the only persons who favor statehood are the politicians and a "few damnable land grabbers." The roll call then proceeded on the adoption of the memorial. . . . The total vote stood 19 to 4, those voting in the negative being Messrs. Martin, Valentine de Baca, Miguel Martinez, and Mora.⁹⁰

The memorial encountered opposition in the council also. On January 29, it was read twice by title under suspension of the rules.⁹¹ The motion of a member,⁹² that the rules be suspended for the third reading failed to win the necessary two-thirds vote and was lost. Of the twelve members present, five voted in the negative: J. A. Ancheta (Silver City), J. F. Chavez (Los Lunas), Nicholas Galles (Hillsboro), Walter C. Hadley (Albuquerque), and Pedro Perea (Bernalillo). On the next day Ancheta offered the following amendment:

We further memorialize Congress to immediately enact a law making it felony for any Secretary of any Territory to usurp power, or to use revolutionary methods in organizing any Territorial Legislature in any Territory of which he is Secretary.⁹³

90. Albuquerque *Democrat*, January 25, 1895. The *Optic* for the same date mentions the adoption of the memorial but gives no details of the debate.

91. *Council Journal* (1895), p. 88.

92. W. B. Bunker.

93. *Ibid.*, p. 94.

The amendment having been tabled by a vote of 8 to 4, the memorial was then adopted by the council. Ancheta and Hadley voted "no."⁹⁴

Perhaps we may regard these two members of the council as representatives of the active opposition to statehood in the middle nineties. Ancheta was a young man of about thirty years of age—the son of a refugee from a Mexican revolution. After graduating from St. Michael's College, Santa Fé, and Notre Dame University, he had taken up the practice of law in Silver City. He was appointed district attorney in 1889, and was twice elected to the council. He was widely known in New Mexico as the innocent victim of an attempt to assassinate T. B. Catron. On a February night in 1891, while leaning against a window in the latter's office, he had been shot in the neck and shoulder. He died in 1898.⁹⁵

Walter C. Hadley was a native of Indiana who came to New Mexico for his health in 1880.⁹⁶ His father, Hiram Hadley, who had been active in building up the school system of the Hoosier state, followed him seven years later to be near his invalid son.⁹⁷ An able educator, the father served New Mexico as the first president of the agricultural college, and later as territorial superintendent of public instruction. Walter Hadley had been educated at Haverford College, and had later taken a course in mining engineering at the University of Chicago. On coming to New Mexico, he first tried journalism, then mining. A pioneer in both fields, he was eminently successful in the latter. He owned the Bridal Chamber mine in Sierra county, where they found the largest chunk of silver ore ever discovered in that region. A man of fine moral character, considerable wealth and the

94. *Ibid.*, p. 95. The *Morning Democrat* for February 1, 1895, said: "It is pleasant to record that the memorial passed the council after some bitter discussion on the part of the enemies of Secretary Miller that had no real bearing on the matter in hand and which was, as a matter of fact, of no real significance."

95. Twitchell, *op. cit.*, II, pp. 509-510.

96. *Hiram Hadley*. Prepared and privately printed by Anna R. Hadley, Caroline H. Allen and C. Frank Allen (Boston, 1924), p. 24.

97. *Ibid.*, p. 32.

highest social position, Hadley was one of the first citizens of the territory. He lived in Las Cruces and Las Vegas during his first years in New Mexico, but later moved to Albuquerque. Here he became president of the Commercial Club. When he died in 1896 at the age of thirty-nine, he was one of the best known men in the territory.⁹⁸

Hadley was a good writer and was in touch with prominent people back east. He was sincerely opposed to statehood, and there is evidence that his use of his talents gave some of the leaders of the movement grave concern. Thus two of Catron's correspondents in 1895 connected his name with opposition to statehood. Frank W. Clancy wrote, February 22, revealing strong suspicions of the silver mining man:

While I was in Washington Senator Carey asked me who was writing letters from New Mexico to Senator Platt which were calculated to prejudice him against us. I told him that I did not know, because you were the only person that I knew who was in communication with Senator Platt. Since I have been here however I have heard something which leads me to believe that the unfriendly influence is to be attributed to Mr. Walter Hadley. Now I don't want you to mention this as coming from me, but I want you to know the fact for your own guidance and because it may possibly enable you to counteract it in some way. Senator Carey told me that he knew that somebody was continually writing to Senator Platt in such a way as to produce a bad impression.⁹⁹

More definite information regarding Hadley's activities was supplied several months later by W. H. H. Llewellyn who wrote on October 1:

98. *Optic*, Feb. 17, 1896. The second building to be erected on the campus of the University of New Mexico was named Hadley science hall in honor of Walter Hadley. His widow contributed ten thousand dollars toward its construction. U. N. M. Board of Regents Minutes, Book A, p. 155. See also the *Mirage*, vol. I, No. 3, pp. 3-4.

99. Catron Correspondence, which has been loaned by the sons of Senator T. B. Catron to the University of New Mexico.

Recently in Chicago I met Oaks Murphy of Arizona¹⁰⁰ and in talking regarding statehood for New Mexico he made the remark that the people of said Territory did not want statehood and that therefore we would not get in.

I told him that he was mistaken and in reply he said that Walter Hadley had so informed him and that Walter had represented to him that $\frac{3}{4}$ of the people were opposed to statehood.

I should think that Pedro Perea could stop this kind of talk.¹⁰¹

Perhaps a thorough search in Washington will turn up these letters to the chairman of the senate committee on territories. Democratic sources were inclined to regard them as very damaging to the cause. Thus, shortly after the expiration of Antonio Joseph's term in congress, the *New Mexican* stated that in an interview with a reporter he had laid "the defeat of statehood on the republican senators, who were influenced, he says, by leading New Mexico republicans."¹⁰²

Somewhat later, while Catron was delegate to congress, the *Santa Fé Sun* said "the main factor in the defeat of the [statehood] bill was the deluge of letters from republicans in New Mexico to the republican senators on and off the committee, . . ."¹⁰³

One way in which territorial leaders strove to counteract anti-statehood propaganda may be seen in a letter which Catron wrote to Senator Carey, January 15, 1893. He said:

100. Nathan Oakes Murphy was delegate to congress from Arizona from 1895-1897. He was governor of the territory twice, from 1892-94; and from 1898-1902. *Biographical Directory of the American Congress*, p. 1347.

101. W. H. H. Llewellyn to Catron, October 1, 1895.

102. *Optic*, March 19, 1895, quoting the *New Mexican*.

103. Undated press clipping found in Catron Correspondence (1895-1897). Cf. the following from the *Optic* for July 15, 1892: "The Deming *Headlight* is aiding the enemies of statehood in the senate, by arguing that the people of New Mexico would defeat a constitution if submitted to them."

I understand that Senator Wolcott,¹⁰⁴ during the vacation visited Taos county to attend an Indian Festival, and that he reports that our people are opposed to Statehood and that the Mexicans are behind the Indians in intelligence. That is the county which has the largest proportion of Mexican people of any county in the Territory and in that county there are some few people who are opposed to Statehood, but there are not more than one to ten. I have enquired of many prominent men from the town of Taos where Senator Wolcott was whether they had conversations with him and they informed me that they did not. One of those is the Hon. Pedro Sanches, a personal friend of Mr. Teller and at present a member of the Legislative Council. He tells me he saw Senator Wolcott in company with a gentleman by the name of——,¹⁰⁵ most all of the time he was there. —— is a man who has soured on the world. He never has a pleasant word to say about any one, and while he claims to be a republican, he always works with the democratic party. I do not consider him reliable at all. I only refer to this to show you how easily a false impression may be obtained with reference to our people, by a gentleman who went to visit an Indian festival. Those Indians, by the way, are not savages; they are civilized. They all speak Spanish, many of them read and they all belong to the Catholic church.

Our next article will describe the silencing of the opposition at the beginning of the twentieth century.

104. Edward Oliver Wolcott was a senator from Colorado, 1889-1901. He was a native of Massachusetts and a graduate of the law department of Harvard University. *Biographical Directory of the American Congress*, p. 1722.

105. For obvious reasons, the name which appears in the Catron letterbook is omitted here.

A PIONEER STORY

THE TRAGICAL DEATH OF DOCTOR J. M. WHITLOCK IN 1868 AT FORT STANTON, NEW MEXICO

JOHAN MARMADUKE WHITLOCK, M.D., was a native of Kentucky and immigrated to New Mexico in the early 40s. He settled in Las Vegas, married Mrs. Josefita Lucero of San Miguel County and moved to Agua Negra valley.

When the Civil War broke out, he enlisted as a surgeon for the First New Mexico Volunteers—Colonel Christopher (“Kit”) Carson commanding—serving until the close of the war, then taking up the practice of his profession in Las Vegas.

For a short time during the year 1862 his family lived in Albuquerque. He had two children at that time, John M. Whitlock and Josefita Whitlock Robinson, both since deceased. The Rev. J. M. Whitlock, Jr., a resident of New Mexico all his life, was educated in Kentucky and took up the ministry as a profession, serving as missionary within the Presbyterian Church in New Mexico for about thirty-five years. Josefita, the daughter, married John Robinson, later sheriff of Mora County. Shortly after Dr. Whitlock was killed, Mrs. Whitlock was remarried to Mr. James W. Holman who was associated in business with Dr. Whitlock at the time of the latter’s death. Mrs. Whitlock died at Agua Negra in 1891.

The killing of Dr. Whitlock was the result of a dispute between him and the captain of a company of Regulars while taking about five thousand Navajo Indians from Fort Defiance to Fort Sumner, New Mexico, in 1868. It seems that on a certain occasion the captain came into camp with a Navajo baby impaled on the bayonet of his rifle and playing with the body of the child as though it were an animal. Doctor Whitlock saw him and called his attention to what he called an outrage and that no gentleman, especially a soldier of the United States, should be guilty of such conduct, at the

same time perhaps calling the captain a harsher name than we wish to repeat. Whereupon the captain said, "If you don't take that back you will have to fight a duel with me." To which Whitlock replied, "Alright, go and get your pistol and we will shoot it out. I will not swallow my words or apologize to you." In a short while the captain appeared at the doctor's tent and called him out. Whitlock, pistol in hand, came out and both, without further ado, fired almost simultaneously. The captain fell, apparently shot through the heart. Whitlock went back into his tent.

..... In the meantime, the alarm was given to the captain's company. A lieutenant, whose name I do not now recall, mobilized the company and announced that their captain had been shot to death by Doctor Whitlock. Immediately, without any investigation, the lieutenant headed his company towards the doctor's tent and without any trial ordered his soldiers to fire then and there, shooting the doctor to pieces. He is buried right where he fell, as it was impossible to move the body. No investigation of this cruel murder was made by the War Department and no one was ever punished for the awful deed.

The Reverend John M. Whitlock, at the time of his father's death, was a lad of about fifteen or sixteen years of age going to school in Kentucky. Doctor Whitlock was a descendant of the well-known families, the Pendeltons, Mar-madukes, Whitlocks and Morgans of Virginia and Kentucky.

At the time of the herein mentioned tragedy, the government had celebrated a treaty with the Navajo Indians to be found around the western part of New Mexico and eastern Arizona. The reason given for their removal to Fort Sumner, where they were held for only a short time, was that they were making forays on the people of New Mexico and had almost ruined the stock industry which was small in those days. Furthermore, a quasi guerrilla warfare had been going on for several years between the Navajo Indians and the native people of northern New Mexico. Provoked by the Indians making raids on the villages in western

and northern New Mexico, campaigns were started by some daring spirits in New Mexico against the Indians, these taking young Indians as captives and selling them to well-to-do families in New Mexico. This, the government ordered to be stopped, and in or about 1870 or 1872-4, a great many Indians were ordered returned to their families in the Navajo Country. Those that had been reared from childhood and couldn't be identified by their Indian relatives remained with their Spanish-American parents. They are to be found in New Mexico to this day. At this time, 1868-69, the Navajo Indians were entirely destitute of property except for a few horses. No sheep were to be found. They were living on grass seed which they ground and made into gruel.

This article is written by one of John Marmaduke Whitlock's grand-daughters, Mrs. B. C. Hernandez of Albuquerque, New Mexico.

BOOK REVIEWS

A Bibliography of the Navaho Indians. By Clyde Kluckhohn and Katherine Spencer. (J. J. Augustin, N. Y., 1940; 93 pp. \$1.50.)

A Bibliography of the Navaho by Clyde Kluckhohn and Katherine Spencer represents one of the most complete, conveniently useable, and indispensable reference works that has yet appeared for the Southwestern area. Its arrangement includes a much broader scope of interests than is usually encountered in works of this type. It is an inestimable boon to anthropologists, historians, sociologists, geologists, biologists, Indian administrators, librarians, and those interested in Southwestern literature.

The contents are arranged in six chapters, each with appropriate subdivisions. The first section includes bibliographies, reference works, catalogues and collections of documents pertaining to the Navaho. The next division is historical, and here, primary and secondary sources are segregated and placed in chronological order. Chapter three deals with environmental references. Sub-headings include items according to geological and biological interests. The fourth section includes references on anthropological subjects. The main sub-divisions here are archaeology and origins, physical anthropology, linguistics, and ethnology. In turn these major sub-divisions are broken down into as many categories as are justified by the literature existing. Chapter five contains references to Navaho relations with the whites. As in the case of anthropological works the primary headings of general and government documents have been sub-divided into more refined categories. The final chapter encompasses popular works on the Navaho. The principle sections under this heading are non-fiction, fiction, plays, poetry, songs, and juvenile works.

The above outline only partially indicates the efficiency of the bibliography. Other salient points include the cross

referencing and an author's index. Citations to reviews occur in conjunction with publication references. Excellent editorial comment on content and accurate and critical appraisals of the value of major sources add greatly to the utility and serve to guide the lay as well as the research reader. Scientific investigation is enriched by the inclusion of references to manuscript materials available in various institutions. The above invaluable features lift this effort far above the routine bibliography and class it as a distinct research contribution. Present and future investigators in the Southwest are under deep obligation to both Kluckhohn and Spencer.

W. W. HILL.

University of New Mexico.

Diego de Vargas and the Reconquest of New Mexico, 1692-1704. By Jessie B. Bailey, Ph.D. (Albuquerque, University of New Mexico Press, 1940. 290 pp., bibliog., index.)

It is a very unhappy task to review a book which falls below reasonable expectations, and we wish sincerely that the request that we review this book by Dr. Bailey had been made before, rather than after, publication.

As to press work, we notice incorrect line spacing on pages 34, 200, 201, 223; and on page 222 two missing lines are found at the top of the next page. Errors in proof reading have been noted on pages 12, 43, 51, 69, 71, 75, 86, 130, 131, 132, 139, 157, 171, 173, 203, 207, 217, 257, 269, 270.

But much more serious is the fact that the book seems to be replete with mistranslations and misinterpretations of the sources used, secondary as well as primary. The work was a doctoral dissertation at the University of Southern California, and Dr. Bailey expresses appreciation and gratitude to her faculty advisers for guidance given her throughout her project, yet one is forced to conclude that actually she was left almost wholly to work out her own salvation, that her preparation in the use of source material was definitely inadequate, and that she is quite unacquainted with the local

geographical data which are so essential to a study of this kind. All of this becomes apparent when one checks Dr. Bailey's text against the sources which she cites. A few of these will be indicated.

The Spanish fugitives of 1680 reached La Salineta on September 29, not the 13th (p. 3); and the "monastery of Guadalupe" and the place known as La Toma were not on opposite sides of the river. Nor in crossing the river had they "crossed into Nueva Vizcaya," (p. 4) although Dr. Bailey was here relying on Dr. Hackett's earlier study. The Paso del Norte district was then, and always had been, part of New Mexico. In note 6 (p. 7) both Twitchell and Anne Hughes are misquoted, and on page 26 a citation from Hackett (note 38) is badly garbled. Even worse is note 28 on page 262.

Beginning at page 10 we find a number of references to a document which the author seems to regard as a primary source, whereas its provenance (Mexico, A. G. N., Historia 2) at once identifies it as one of the Spanish transcripts in the Figueroa collection of 1792. A little examination shows that the transcript has serious defects, and even the original (written probably in 1717) was a decidedly secondary source, based in part on the Vargas "Restauración" records. It was a chronological digest rather than a "report" and what Dr. Bailey regards as a title was merely a comment endorsed on the old manuscript, probably long after 1717.

Errors in translation are numerous, unfortunately, but we shall mention only a few. "De Senecú" (p. 27, last line) is not in the original; and the *aguaje* de Perillo (p. 28) was not a stream. Surprised to read of snow in New Mexico on a day in August (p. 30), we found that the record said that the day was *nublado* (clouded). At pages 32-33, the Mejía hacienda is definitely stated to be both "five leagues below Isleta" and "in the vicinity of the present city of Albuquerque," and thirdly that it is "now identified with the site of Albuquerque." Puzzled by what could be meant by "Panolis" (p. 90), the source gave us "en el Pueblo

despañoles del Real de San Lorenzo." The following translation of the proclamation is unintelligible, as is the statement (p. 112) that desperate Apaches might take Vargas a prisoner to Mexico; or (below) the idea that Vargas would affectionately present the people of Tesuque "with three dead cattle." And something is definitely wrong (pp. 116-7) in the taking of five loads of flour from the same pueblos to which they had been given three days before. To the Spaniards those natives who were unChristianized were "Gentiles," but this term has been translated "the tamed" (p. 204). The quotation on the next page has "Santa Ana" instead of Santa Clara and has missed the meaning of the original in other ways.

We should recognize that Dr. Bailey has not had the opportunity to become acquainted personally with any of the places of which she is writing in this study. It is not surprising, therefore, but it is very unfortunate that so often she has not understood her sources—and where the picture has not been clear to her, it will be even less so to her readers. This is most evident perhaps in the lack of definiteness as to the various places of refuge: the Cía Indians on the Cerro Colorado; the Jémez and Santo Domingo Indians on the high portrero north of the old Jémez pueblo; the Cochití refuge on another portrero eight miles back in the mountains from their old pueblo; and the Tewa refuge on the Black Mesa of San Ildefonso. The first two seem to be confused; La Cienguilla de Cochití is mixed with the abandoned town on the Rio Santa Fé (e.g., p. 160); while there is nothing to suggest the long continued drama at the Black Mesa.

Dr. Bailey has shown a nicety in the observance of accents and other diacritical marks which is exceptional in work of this kind, and it is quite evident that she has put in a very creditable amount of labor upon her thesis. In spite of its numerous shortcomings, from which she might have been spared by a more effective supervision and by some acquaintance with the country in which Vargas campaigned, many readers will get from her pages a new conception of

the truly remarkable achievements of the Reconquistador whom she felicitously calls "the Napoleon of the Southwest."

L. B. B.

Pioneer Black Robes on the West Coast. By Peter Masten Dunne, S.J., Ph.D. (Berkeley, University of California Press, 1940. 286 pp., illustrated.)

The Society of Jesus in 1940 celebrated the four hundredth anniversary of its founding. To the Society is dedicated the second of a projected series of volumes setting forth the history of the Jesuits in western North America. The first volume was entitled *Educational Foundations of the Jesuits in Sixteenth Century New Spain* by Dr. Jerome V. Jacobson. The second volume, by Dr. Dunne of the University of San Francisco, covers the period from 1591 to 1632, contemporaneous with the early Franciscan missions in New Mexico. It was in the first mentioned year that the proto-martyr Gonzalo de Tapia began his missionary work on the Sinaloa river. In the words of Dr. Herbert E. Bolton: "Father Dunne has depicted an epic story of missionary adventure as it appeared to the actors and their contemporaries, and as interpreted by himself, a sympathetic twentieth-century confrere. It is a stirring drama of missionaries and soldiers (notably El Capitán Hurdaide) laboring harmoniously side by side in an effort to plant Christian civilization in heathen America. In these pages the author has brought forth from comparative obscurity a galaxy of notable pioneers, great figures in their time but neglected by modern historians. Tapia, Ribas, Méndez, Pascual and Martínez in New Spain, to mention only a few, deserve a place in North American history."

Father Dunne personally traveled over the rugged terrain that lies between the Sinaloa and Sonora rivers up to and beyond the high mountain divide to the east. This enhances the description of the land in which the Jesuits, according to their reports to the ecclesiastical authorities, baptized more than 150,000 Indians during these forty years.

In 1625, at least eighteen missionaries were serving the Indian pueblos of that region so far distant from centers of European civilization and culture. There is beauty in the story, there is interest, there is adventure. Father Dunne does not gloss over the improbability of some of the miraculous manifestations reported, the absurdity of the tales of witchcraft and supernatural phenomena, but which, considering the times, do not seem strange in the telling. He admits: "Christianity, in spite of Olinano's passing visit, had not sunk deep into the spirits of the Aibines, and their contacts with the Christian nations had not always been of a kind to make them eager for the gospel." There was much backsliding, for "the thin crust of their Christianity was broken through." Material selfishness, in numerous cases, prompted the zeal of those who came each day asking for baptism, "jealous to see their neighbors honored and enriched by the precious grace of the holy gospel."

Father Dunne's narrative is vivid. He commands a fascinating style which makes the volume read like a romance without departing in any way from the sources, both published and unpublished, which he had at his command. Incidentally, there may be found much of ethnological and geographical information in the volume. Statistical appendices, an essay on the sources consulted, translated and studied, annotations to the text of the twenty-one chapters, a bibliography of manuscripts, documents, treatises and secondary works, together with a detailed index, bear witness to the scholarliness and thoroughness of this excellent and graphic study of the missions on the West Coast.

P. A. F. W.

California. By John W. Caughey. (New York, Prentice-Hall, Inc., 1940. xiv+680 pp., numerous illustrations and maps, a "Commentary on Californiana," index.)

At last we have a one-volume history of California which is comprehensive and yet at the same time satisfyingly adequate for the general reader. It does not impress one as

a textbook, although it is doubtless a fruition of Dr. Caughey's university work and it would fit admirably to such use with its thirty-two chapters of about twenty pages each.

A little analysis shows that 117 pages are devoted to what may be called "background," since "California was discovered in the course of a broad investigation of New World geography which resulted in contemporaneous exploration of Florida and New Mexico." (p. 4.) This is nearly as much space as is given to Spanish and Mexican times in California, because actual occupation did not begin until 1769 and the year 1848 brought the transition to the United States. Indeed, the two chapters on "American Acquisition" and "Gold" bring the reader exactly to the middle of the book, since "practically the entire story of California's growth is crowded into the last ninety years." During the American period, as in her early history, "California development has been part and parcel of a larger movement," (p. 5) and it is interesting to note that California is regarded in this later movement both as "the leading representative of the West" and (apparently) as more important than the "other southwestern states." (pp. 4-5.)

Because of its calendared paper the book is somewhat heavy and bulky, yet as already indicated the chapters are short and their titles are intriguing. The Franciscan missions are the dominant theme of the chapters which deal with colonial times, although their titles do not so indicate; and among other titles which invite the reader to browse are: The Coming of the Traders, Mountain Men, Vigilantes and Filibusters, Land Titles, Stages and Steamers, Building the Pacific Railroad, The Boom of the Eighties, The Second Generation, The Contemporary Scene.

In our somewhat sketchy reading of the book there is only one matter of any importance in which we would question Dr. Caughey's interpretation of the records. He states (p. 5) that "it is a familiar fact that Spanish occupation [of California] came in direct response to reports of foreign activities farther north." This can refer only to the rumors

of Russian advance down the northwest coast, but the effect here credited to such a danger is not substantiated by the records—as Dr. Caughey himself shows later when he describes the occupying of upper California. (pp. 118-124.)

California is authoritative and delightfully written. One of its most attractive qualities is the author's correct use of Spanish terminology and his felicitous and discriminating use of English.

L. B. B.

NOTES AND COMMENT

The Index for Volumes I-XV—We ask the indulgence of those who have already subscribed for the Comprehensive Index of Volumes I-XV. Unexpected delay has developed which will prevent its appearance for several months. The preliminary work which was done last year needs much more editorial attention than was anticipated. However, progress has been made and as promptly as possible the copy will be turned over to the Press.

Our April Issue—It may result in an editorial headache, but in our next issue we should like to complete the studies of Dr. Scholes and Mr. Rely, and also offer the following: the first half of the Indian agent's diary, edited by Mrs. Anne Abel Henderson; a paper on the mountainman Antoine Leroux, by Grant Foreman; another on early forts of New Mexico, by A. B. Bender; and we have promised Dr. Carl Sauer space for another paper on Fray Marcos de Niza.

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A "NEW" FRAY MARCOS DE NIZA MANUSCRIPT

Early in February, 1937, Dr. Carl P. Russell, supervisor of research and information of the National Park Service, Washington, D. C., called on me in Albuquerque and spoke of a "new" Fray Marcos de Niza manuscript which had come to his attention in the year previous on a visit to Vienna. The manuscript was the property of the State Archive of Vienna and had been loaned to the Museum für Völkerkunde of which Dr. Dominik Josef Wölfel was then curator. During Dr. Russell's visit to Vienna, he and Dr. Wölfel planned an English translation for publication in the United States. Unfortunately, this plan failed and all subsequent efforts to procure a photostatic copy of the original were of no avail.

The intriguing thought that the Fray Marcos de Niza manuscript in Vienna might be a hitherto unknown document led me to solicit the aid of the Coronado Cuarto Centennial Commission through its managing director, Mr. Clinton P. Anderson. Through the good offices of Senator Carl A. Hatch he sought the aid of the State Department in Washington in 1939, and eventually the desired photostatic copy was obtained through these channels.

Instead of being new, the document in question proved to be merely an incomplete copy of the Fray Marcos de Niza "Relación" which has been known for many years and which is the basic source of information for Fray Marcos' expedition in 1539. The document consists of 37 pages, approximately 5½ by 8 inches, written in a large and clear hand. The manuscript is signed, but the signature is not that of Fray Marcos de Niza. The document bears no certification such as that contained in the original manuscript which is preserved in the Archives of the Indies in Seville. Moreover, the Vienna document ends with the word "mandado, etc.," thus omitting approximately two lines of the complete "Relación," in addition to omitting the legalization which the original contains.

GEORGE P. HAMMOND.

NECROLOGY

MRS. HENRY WOODRUFF

Sarah Frazer Woodruff, one of Santa Fé's beloved pioneer women, was laid to rest December 19, in Fairview cemetery, at the side of her husband, who died ten years ago. Mrs. Woodruff was eighty-five years old. She attended college in Missouri and moved to Fort Garland, Colorado, to teach school. There she met Henry Woodruff, the scion of a distinguished Farmington, Conn., pioneer family, which had moved to Dixon, Ill., in 1858. There he had incurred the illness which sent him to Colorado, after physicians had pronounced his case hopeless. But he recuperated at Pueblo, Leadville, and then at Fort Garland, where his marriage took place on December 21, 1882. In the early eighties, the couple journeyed to Elizabethtown and thence to Springer, where Mr. Woodruff engaged in the cattle business. From there, Mr. and Mrs. Woodruff set out in a specially built spring wagon on a five hundred miles tour to find a new home. When they reached Santa Fé, they were so pleased with the beauties of the city that they decided to make it their home. Mrs. Woodruff wrote to her mother: "We have reached the promised land of flowers and fruits and here we will stay."

This was in 1888. Two years later, the late Governor L. Bradford Prince, president of the New Mexico Historical Society, offered Mrs. Woodruff the place of curator of the Society's museum in the Palace of the Governors at Santa Fé. Mrs. Woodruff pleaded that her husband should be named instead, as it would help him to get well, and promised to serve with him. This was done, and for forty years, the devoted couple greeted the thousands of visitors, many of them persons of distinction, never taking a vacation, always on duty, under succeeding presidents of the Society, the late General Frank W. Clancy, the late Col. Ralph E. Twitchell and the present incumbent. They saw the price-

less collections of the Society augmented, its Library increased, and the number of visitors growing to 30,000 and more annually.

Mrs. Woodruff interested herself intently in civic activities for the upbuilding of Santa Fé. She was one of the early members of the Women's Board of Trade, which founded the city's public library, which looked after the Plaza for many years, which took over Fairview Cemetery and made it the most beautiful God's Acre in New Mexico and where she and her husband now have their last resting place. Mrs. Woodruff was an active member of Stephen Watts Kearny chapter of the Daughters of the American Revolution, was active in both the Methodist and Presbyterian women's organizations and during the last war was president of the local chapter of the American Red Cross, furthering its extensive activities.

After forty years of service, Mr. and Mrs. Woodruff had decided to retire from active duty and had set July 1, 1930, as the date. However, Mr. Woodruff died on May 4, 1930, and his remains were placed in Fairview. Mrs. Woodruff continued at the post in the Palace of the Governors through June and then moved to Elk City, Oklahoma, to live with her nephew and niece, Mr. and Mrs. Paul L. Peeler. Mr. Peeler accompanied the remains to Santa Fé.

At the funeral the Rev. Kenneth Keller paid tribute to the many fine qualities of Mrs. Woodruff and her services to the community. Mrs. Reed Holloman, Mr. Nierhaus, C. L. Bowlds and Mrs. Robert E. Smith, sang appropriate selections. Among those who attended were many of the old timers who had known Mrs. Woodruff in the early days. The pall bearers were: Reed Holloman, Paul A. F. Walter, Guy Harrington, Charles Kaune, David Ferguson and Edward Cartwright.—P.A.F.W.

ARTHUR LEON SELIGMAN

New Mexico mourned one of its best known and most respected business men in the passing of James Leon Seligman at St. Vincent's sanitarium in Santa Fé, on Sunday,

December 14. For the past forty-six years, as a resident of Santa Fé, he always was ready and willing to answer any call for service in civic and charitable causes.

Born in Philadelphia on August 11, 1868, he was the son of a Santa Fé pioneer merchant family, Bernard and Frances Nusbaum Seligman. Reared in the east, he attended Swarthmore College and was licensed as civil engineer, a profession he followed when he moved to Salt Lake City in 1887. As early as 1871, he accompanied his parents to Santa Fé and visited repeatedly before returning to make the city his permanent residence in 1894. In Salt Lake City, Mr. Seligman was for five years an attache of the surveyor general of Utah and also engaged in mining engineering. It was in Salt Lake City he met Miss Ruth Van Bentheusen Stevenson, a daughter of Charles Langlois and Mary Rosa (Tinslar) Stevenson, who became his wife on October 24, 1893. Upon his return to Santa Fé, he entered in partnership with his brother, the late Arthur Seligman, twice elected governor of New Mexico, the firm name being Seligman Brothers Company. He was for a time on the staff of Highway Engineer French. Upon being appointed postmaster of Santa Fé by President Woodrow Wilson in 1914, he retired from the firm. He was reappointed and served out his second term. In his latter years he established the Old Santa Fé Trading Post on Cathedral Place which was famed far and wide for the quality of the antiques, handicrafts and curios it sold. He was also interested in other business establishments and real estate holdings.

Mr. Seligman was a 32d degree Scottish Rite Mason. He took an active interest in the New Mexico Historical and Archaeological Societies, served as a member of the Board of Regents of the Museum of New Mexico and was on the board of managers of the School of American Research. He took great interest in the arts, including the theater. He was the treasurer of the Indian Arts Fund and business manager of the Drama League, later the Santa Fé Players. A lover of music, he played the violin in local orchestras which were

organized from time to time mainly through his efforts. Mr. Seligman was for a number of years active in the New Mexico National Guard, serving as regimental commissary of the first regiment and United States disbursing officer for the state. For several years a member of the Santa Fé city school board, he gave much attention to educational matters.

Mr. and Mrs. Seligman were parents of two children, Beatrice Grace, who died in 1920, and Morton Tinslar, commandant of the North Island air station of the United States navy, San Diego, Calif.

Funeral services were held on Wednesday, December 18, in the Scottish Rite Cathedral at Santa Fé with the solemn ritual of Rose Croix. Prayer at the grave in Fairview Cemetery was by the Rev. C. J. Kinsolving, rector of the Church of the Holy Faith.—P.A.F.W.

MARTIN GARDESKY

Martin Gardesky, beloved Santa Fé pharmacist and bank director, one of the most colorful figures in the mercantile and social life of the Southwest, lost his four months' battle for health when death came to him December 14, at the Passevante hospital, Chicago. He was 51 years of age.

At his bedside were his wife, the former Miss Florence Spitz, and her sister, Miss May Spitz, of Santa Fé, who had gone to Chicago four months ago when Mr. Gardesky underwent a surgical operation.

Of Russian ancestry, Mr. Gardesky was born in Kansas City, Mo., in December 1889. It is there he attended the public schools and served his apprenticeship as a druggist. His youth was not an easy one and even in his school days he found employment in various occupations with many long hours of toil. He would look back, in later years, upon those early experiences with pride and even gratitude. A great reader and traveler, he became deeply interested in the history, archaeology and ethnology of the Americas. He visited and studied the ancient Maya sites in Guatemala, the Inca ruins in Peru and Bolivia and made trips into Mexico, not

only along the well-traveled highways but also over the trails to out-of-the-way places in Chihuahua and Sonora. He would return from each journey with rare documents, native artifacts and biological specimens.

Mr. Gardesky's civic and social interests were many. He was an active member of Santa Fé's volunteer firemen and fearlessly exposed himself to danger, cold and wet at many a local blaze. He had advanced to the 32nd degree in Masonry and was prominent as a member of the Santa Fé Lodge of Elks as well as the B'nai B'rith. He was fond of gardening and experimenting with rare flowers. Never failing in his courtesies he would respond at all hours of the night to calls for medicine or surgical supplies from the Capital Pharmacy in Santa Fé of which he was the principal owner. His charities were many but unostentatious and his friendships were countless, extending far and wide and even into foreign countries. He served as a member of the Board of Regents of the New Mexico School for the Deaf and was a member of the New Mexico Historical Society.

Mr. Gardesky is survived by his wife, Florence Spitz, daughter of Santa Fé's pioneer jeweler, the late Solomon Spitz. A brother-in-law, Bernard Spitz, a sister-in-law, Miss May Spitz, and a brother, Louis Gardesky of Santa Fé, are near relatives who mourn his death.

Funeral services were those of the Hebrew faith and were held in Santa Fé Scottish Rite Cathedral, which was crowded with mourners. Burial was in Fairview Cemetery. —P.A.F.W.

PABLO ABEITA

Pablo Abeita, the "grand old man" of Isleta Pueblo, whose views and thoughts for years influenced the destinies of the Indian village thirteen miles south of Albuquerque, died unexpectedly of a heart attack at his home on the evening of December 17.

He was 70 years of age, having been born in Isleta February 10, 1870.

Abeita was postmaster at Isleta, a position he held for many years, and conducted a merchandise store.

A member of the influential Abeita family, Pablo was one of the village's most prominent and famed residents. He was a familiar figure on the streets of Albuquerque, with his broad-brimmed hat topping his long hair that fell below his shoulders, his lace-yoked, red-trimmed shirt, and the blanket that clung to his shoulders as by a miracle.

Genial and friendly, Pablo did not hesitate to take issue when matters affecting the welfare of the Indians were under discussion. He wrote letters to the press when occasion arose to correct what he termed misstatements of Indian history, or to criticize the policies of the Indian Bureau or the white men in general. His criticisms were smooth rather than sharply barbed, and carried a quaint sarcasm.

He devoted his life to farming and operation of a merchandise store, and to the politics of the Isleta village and the Pueblo Council that includes all Rio Grande Pueblos. He was governor of Isleta on one or more occasions, was a war captain and also member of the cattle commission. He was honored years ago with appointment to the Court of Indian Offenses, a tribunal of three judges that handled Indian judicial matters. The court since has been abolished.

Abeita is survived by his wife and five grown sons, Remijo, who is with the Indian Service in Washington state; Ambrosio (Buster), San Carlos, Ariz., also with the Indian Service; Joe, John R. and Andy of Isleta.

The funeral services, conducted according to ancient tribal ritual by the elderly head men of the pueblo, as befits a man who long had served as a member of the Isleta Pueblo Council, will be colorful. Pablo will be wrapped in the bright blanket which he long ago chose as his burial robe and will be carried through the winding streets to the burial ground on a hill south of the village, where sleep his ancestors of many generations.

The head men will be garbed in colorful ceremonial robes, and will chant the ritualistic prayers for the dead.

Villagers and neighbors will follow, in more somber garb. At the graveside, ceremonies will be conducted, the body will be lowered, covered with earth. Then water will be poured on the grave, in accordance with a custom so old that its origin is unknown.

There will be also a brief Catholic ceremony. Pablo received his entire education under guidance of the church. The Jesuit fathers and Sisters of Charity were in charge of the Old Albuquerque schools where he learned his A. B. C.'s. The Christian Brothers who conduct St. Michael's College, Santa Fe, where he took his grammar and high school work, awarded him the honorary degrees of master of ancient history and doctor of philosophy.

Abeita was a life-long student and a voracious reader, which made him one of the best educated Indians in the state. He was equally facile in the English, Spanish and Pueblo tongues.

Abeita claimed that he was the only living Indian who had met all the presidents of the United States, from Cleveland in 1886 to Roosevelt in 1936. He had made many trips to Washington in an official capacity, and knew personally many of the members of congress.—*Albuquerque Morning Journal*, 12/18/40.

ARTHUR STEVENSON WHITE

Dr. Arthur Stevenson White, professor of government and head of the department of government and citizenship at the University of New Mexico, died December 28, 1940, from a cerebral hemorrhage which occurred on Christmas day. He never regained consciousness after the stroke.

"Doc" White, as he was affectionately known to the thousands of his former students, was born in Grove City, Pennsylvania, June 14, 1880. He received his Ph.B. degree from Grove City College in 1903. In 1909 he took his LL.B., in 1915 his M.A., and in 1921 the degree of Doctor of Jurisprudence, all at the University of Michigan. His major field of study was law and government.

He began his college teaching career in Muskingum College in Ohio and left this school in 1922 to become professor of political science at Marshall College in Huntington, West Virginia. In 1930, he became an associate professor of political science at the University of New Mexico, and in 1934 when the department of government and citizenship was created at the University, he was advanced to a professorship and made head of the new department.

At periods in his life Dr. White had taught in high schools, practiced law, and during 1917 and 1918, the war years, he was educational secretary and lecturer for the Army YMCA. At the time of his death, in addition to his University work, he was serving as supervisor of the merit system of the federal aid departments in New Mexico.

Surviving Dr. White are his wife and two daughters, Helen, a student at Albuquerque High School, and Mrs. Earl Caldwell, of Belen, New Mexico.

It was my rare good fortune to have known Dr. White for seventeen years. As an indifferent freshman student I stumbled by chance into one of his introductory courses in government at Marshall College in the autumn of 1923. I went into that course for no other reason except that it was a part of the general liberal arts course of the college. I came from that class with an interest in the problems of government that has been enduring.

Dr. White's outstanding characteristic as a teacher was his ability to stimulate the interests of his students. He was no mere organizer and reciter of facts, but a vibrant, compelling teacher whose enthusiasm was infectious. While always generous in his kindly praise of alert students, the loafers often felt the sting of his biting sarcasm. Though never aspiring to personal popularity, Doc was always a favorite teacher in every school in which he taught. Students warmed to his enthusiasm and his sly, good humor and grew under his stimulation. Even the laggards, in late years, admitted the justice of his "bawlings-out."

No professor was more interested in students and their

welfare than he. While other professors added to their bibliographies with research and writing, he devoted many of the hours of his spare time to conferences with students, talking over with them their personal problems, helping them to find themselves.

His impress upon his students was strong and lasting. Many of them, now in all walks of life, remember him as the finest teacher of their college careers. Dr. Wallace Sayre, now Civil Service Commissioner of New York City, has only recently written me: "Of all my teachers, Doc White was the best." There are many, many others who feel the same.

Doc White's controlling idea was his belief in the importance of applying intelligence and humanity to the solution of social problems. Second only to this was his instinctive sympathy for the underdog. The many fine young men and women he influenced to more social-minded thinking constitute his most enduring monument. In them and in those they influence he will continue to live.

THOMAS C. DONNELLY

The Historical Society of New Mexico
(INCORPORATED)

Organized December 26, 1859

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1861 — MAJ. JAMES L. DONALDSON, U. S. A.
1863 — HON. KIRBY BENEDICT
adjourned sine die, Sept. 23, 1863

re-established Dec. 27, 1880

- 1881 — HON. WILLIAM G. RITCH
1883 — HON. L. BRADFORD PRINCE
1923 — HON. FRANK W. CLANCY
1925 — COL. RALPH E. TWITCHELL
1926 — PAUL A. F. WALTER

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| CHARLES W. HACKETT | ALFRED B. THOMAS |
| GEORGE P. HAMMOND | PAUL A. F. WALTER |

CONSTITUTION
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 shall have been elected and qualified.

Article 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.

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