

# New Mexico Historical Review

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Volume 2 | Number 4

Article 1

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10-1-1927

## Full Issue

New Mexico Historical Review

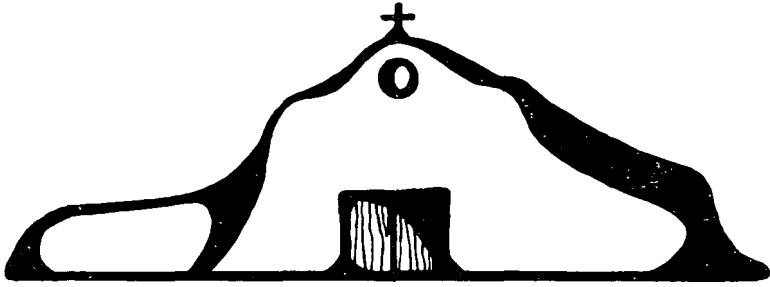
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**NEW MEXICO  
HISTORICAL  
REVIEW**  
REPRINT

**OCTOBER 1927**

**CHARLES A. GIANINI  
MANUEL LISA**

**GEORGE P. HAMMOND AND AGAPITO REY  
THE RODRIGUEZ EXPEDITION TO NEW MEXICO, II**

**EDWARD D. TITTMANN  
THE FIRST IRRIGATION LAWSUIT**

**LANSING B. BLOOM  
THE DEATH OF JACQUES D' EGLISE**

**JOHN P. CLUM  
SANTA FE IN THE '70S**

**NECROLOGY**

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# IN APPRECIATION

One of New Mexico's prime attractions, both to its own residents as well as to outsiders, is its rich and deep history. Nowhere did Indian society have greater historical impact, nor was there any area of the United States to which imperial Spain bequeathed such an indelible legacy. The pioneer period completes the trilogy and vies for historical attention.

With this historical background, today's society in the Land of Enchantment has need for substantial information concerning New Mexico. Chief vehicle for periodical publication concerning the state is the *New Mexico Historical Review*, which was born in 1926. In it, articles of maximum value have appeared quarterly for over a half century, representing a great treasury of authoritative information. However, with the passage of time some of the most important issues of the *Review* have become unavailable, with these out-of-print issues accessible at high prices at rare book shops, or sometimes unobtainable at any price. With a growing population desirous of becoming better informed concerning New Mexico, the need to provide availability to such important material became apparent.

The present reprint program was only a scholar's dream until farsighted citizens became likewise convinced of the utility of making available a storehouse of knowledge, particularly focusing their concern on educational need for republication. Max Roybal, Bennie Aragon, Robert Aragon, Mike Alarid and Adele Cinelli-Hunley provided effective leadership. Legislators Don L. King and Alex Martinez presented Senate Bill #8 to the 1980 session of the New Mexico State Legislature and used their influence and that of Governor and Mrs. Bruce King to insure favorable consideration. The Board of the NMHR, speaking for followers of New Mexico's important history, warmly thanks these friends for such support.

Donald C. Cutter  
Chairman, Editorial Board, NMHR



Cover design by Jan Carley, graphic artist, College of Education, University of New Mexico, Albuquerque.

# The Historical Society of New Mexico

(INCORPORATED)

ORGANIZED DEC. 26, 1859

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Walter, Paul A. F.

## CONSTITUTION

—OF THE—

### HISTORICAL SOCIETY OF NEW MEXICO

(as amended - Dec. 15, 1925)

**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 twenty-five dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historical nature, may, upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) **Honorary Life Members.** —Person 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.** — Each Member, upon election, shall pay a fee of two dollars, which shall include the dues for the current calendar year and annually thereafter a fee of \$1.00 payable in January of each calendar year. Members may be dropped from the rolls of the Society at the discretion of the Executive Council for non-payment of dues.

**Article 7. —Publications.** —All publication 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.

The Society meets in its rooms, Palace of the Governors, Santa Fe, on the third Tuesday evening each month.

Bulletins, as published, are mailed to members; at present, subscription to the REVIEW is additional.

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



A CORONELLI MAP OF 1688 ( ). THE NOTE REFERS TO PADRE RODRIGUEZ, ESPEJO AND GOVERNOR PEÑALOSA (Original in the Library of Congress)

# NEW MEXICO HISTORICAL REVIEW

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Vol. II.

October 1927.

No. 4.

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## MANUEL LISA

ONE OF THE EARLIEST TRADERS  
ON THE MISSOURI RIVER

Among the early trappers and fur traders of the west, the Chouteaus, the Sublettes, the Bents, Ashley, Fitzpatrick, Bridger, Wyeth, some of Astor's agents, Captain Bonneville and others are well known and should be, for, considering their deeds in unexplored country and combatting obstacles of many kinds, these men were giants in their day. But one of the earliest traders and post-builders was Manuel Lisa. He is a man that we today seldom hear about, but in his day he was one of the boldest and most enterprising.

Manuel Lisa was born of Spanish parentage in New Orleans about the year 1772. Of his early life there is little on record. At the age of twenty he was trading on the Mississippi and its tributaries. He came to St. Louis in 1798 and that year entered into a contract with Roubidoux, one of the old Indian traders.

He early showed his aggressive spirit by joining with others in a protest to Governor Trudeau, against the monopoly granted and enjoyed by a few giving them control of the Indian trade of the Missouri. The Chouteaus were about the only ones not affected by this arrangement; they were old on the river and too well established. In fact they were a small monopoly in themselves. The petition for granting open trade had no result. With the trans-

fer of the territory to the United States this monopoly collapsed.

A little later, Lisa and two others obtained from the Spanish government the exclusive right to trade with the Osage Indians. For a number of years this trade had been controlled by the Chouteaus, and their influence was so strong that on Lisa's appointment they were able to induce a large part of the tribe to leave the Missouri and move over to the Arkansas River where the former were strongly entrenched. This action caused a split in the Osage Nation that took some time to heal. Lisa held the grant only one year.

We next hear of Lisa in trouble. He was always a man strong in his convictions, and never afraid to attack even the mighty. For a strong letter of complaint to the Spanish Governor Delassus, the last of that succession, he was put in the calaboose for a time.

With the ending of his monopoly of the Osage trade, Lisa cast his eyes towards Santa Fe. With wise foresight he saw the prospect of rich trade with the Spanish Provinces and this was amply justified later when the Santa Fe Trail became a great avenue to market. The new American governor, Gen. James Wilkinson, always an enemy of Lisa, successsfully thwarted his plans. He somehow learned of Lisa's intentions and in a letter to Captain Zebulon M. Pike then on his famous exploring expedition to the southwest, he called Lisa an intriguer and outlining his plans, ordered Pike to take "all prudent and lawful means to blow them up." It may be possible that Wilkinson feared to have Lisa reach Santa Fe, for once there, speaking the language and mingling with the officials, he might learn something of the governor's intrigues.

In 1806 Lewis and Clark returned from their historic journey to the Pacific and the news they brought caused the eyes of the St. Louis traders to wander up the Missouri River. The headwaters of this river were a virgin field for the taking of furs and peltries and one of the first to grasp the importance of this fact was Manuel Lisa.



Fur was the incentive of much of the early exploration and advance. It was the first article of trade of all the early western towns and cities. St. Louis was founded by Laclède Ligoust as a depot and headquarters for trade with the Indians who were the big gatherers of fur, and to this day the city ranks high as a center of the fur trade. Fur was the principal business of the day and all the big men were in it in one form or another. Even before the coming of Laclède, French *coureurs de bois* and half-breed whites had pushed up the Missouri and its tributaries at least as far as Kansas City and possibly beyond. After 1764 a greater number pressed farther into the interior.

While Lisa was not the first trader to go up the river, he was the first to realize that the men before him were doing big business on a small scale, and to see the possibilities of doing big business by having permanent posts in the country and carrying large stocks of goods. This required capital and this he was able to command.

In 1807 Lisa with one keelboat and outfit made his first trip up the Missouri. Near the Platte River it was his good fortune to meet a man who had made the journey with Lewis and Clark—John Colter, and who was on his way down the river. Colter had been in the country where Lisa was anxious to trade, and this making him an important man to have, Lisa offered him inducements and persuaded him to turn back and face the wilderness once more.

Above the friendly Omahas, Lisa had to pass the country of six or seven tribes which might prove hostile, and on this trip trouble was had with the Arikaras, Mandans and Assiniboines. However a show of force with two of them and persuasion with the other, got him by safely.

Two other expeditions started up the river shortly after Lisa left St. Louis. One under the command of Ensign Pryor who was escorting back to his village the Mandan Chief Shehaka, who had been brought down to St. Louis the previous year by Lewis and Clark; the other, a trading venture in charge of Pierre Chouteau. This

united party had a fight with the Arikaras and were compelled to return to St. Louis. It was claimed that Lisa had instigated the Indians in this affair. Remembering the treatment he had received from the Chouteaus in his dealings with the Osage, possibly he was interested in blocking Pierre, who returned to St. Louis in high dudgeon.

This first expedition was known as that of Lisa and Druillard, the latter the "Drewyer" of the Lewis and Clark expedition. Their first post was built at the mouth of the Big Horn River and was known under different names, but "Fort Manuel" and "Fort Lisa" were the most familiar. This was the first permanent house built in what was afterwards the State of Montana, and Lisa was the first settler in the state. However a mistake was made in establishing a post at this point. The intention was to trade with the Blackfeet, the big gatherers of fur, but settling in the country of the Crows the others took umbrage, and partly from fear of the Crows refused to come to trade.

The winter was spent at the new post and during the time Colter was sent out to find the Blackfeet and induce them to come in and trade, and it was on this memorable trip that he discovered the wonders of the Yellowstone Park which in disbelief and derision were called "Colter's Hell."

On the whole Lisa was successful in this his first venture on the upper river and on his return to St. Louis the result was exploited. His competitors and rivals, and among them the Chouteaus, quickly recognized the fact that this bold and resourceful man was one to be reckoned with, and with good business judgment, rather than oppose him, they organized the St. Louis Missouri Fur Company and Lisa was made a partner.

On Lisa's next trip in 1809 he returned to his village the Mandan Chief Shehaka, wife and child. Posts were built at the village of the Gros Ventres and at the Three Forks of the Missouri in the midst of the Blackfoot country. This latter on account of the hostility of the Indians was abandoned in about a year or two. The Blackfeet were

the most troublesome of all the Indians. They would be met with in various parts of the country and this led to the opinion that they were a very large tribe and occupied a big home section, but this was not a fact; they were great travelers and while after horses, buffalo or on the war path, might be met with hundreds of miles from the head waters of the Missouri, thus giving this impression.

The expedition of 1810 was not a successful one. George Druillard, a very capable man, had been killed by the Indians and the posts at the Big Horn and the Forks abandoned. The Indians were very troublesome and Major Andrew Henry went to the western slope of the mountains in hope of trapping unmolested.

The expedition of the following year is notable for the great race up the river. The Indians were showing signs of hostility possibly urged by British emissaries, and as the Astoria Overland Party under the leadership of Wilson Price Hunt was going up the river Lisa was anxious to travel with them for mutual protection. Some friction arose between the two leaders and Hunt, and some others with him recalling that it was claimed that Lisa was responsible for the failure of Pierre Chouteau's venture a couple of years before, made a start a good two weeks ahead of him. Lisa, notwithstanding his big handicap, with one keelboat manned by a picked crew, made an heroic effort and caught up with Hunt just beyond the Sioux territory. This ranks as one of the greatest races in history; it lasted two months and twelve hundred miles were covered. No trouble was experienced with the Indians and the rival leaders patched up their differences. Luckily there was an historian with each party to preserve the story of the race and later, Washington Irving retold the story in his classic "Astoria." Lisa picked up Major Henry and his men who had returned from beyond the mountains and returned to St. Louis.

By this time Lisa was a man of importance in St. Louis. In the tax list for 1811 he stands among the few that were assessed for over 2000 dollars. At that time

there were but nineteen carriages of pleasure of which he owned two. He was one of the organizers of what was probably the first business bank but it proved a losing venture and Lisa lost considerable money. Moses Austin was an associate and it is claimed that the loss of his money turned his thoughts to the scheme of colonizing Texas. Later, Lisa in partnership with two others started a steam mill company. Lisa was never a single track man; he was always open to a business proposition.

In 1812 Lisa with two boats again went up the river, and it was on this trip that Fort Lisa a few miles above the present city of Omaha was built, and it remained an important post for a long time. On the way up, the Arikaras through jealousy of the chiefs, became aggressive. The women and children were ordered away from the boats which was not a friendly sign. Lisa and his men prepared for trouble, but the leader was not a man to sit tight. With ten men he went ashore and sent for the chiefs to explain their conduct. It was a matter of some receiving presents and others none. They were also desirous of having a trading post established with them. Agreement was arrived at, matters were adjusted and all was peace again.

Four or five parties were sent out to trade with various tribes and one under Charles Sanguinet was sent to the Arkansas River to trade with the Arapaho Indians. This in reality was only part of the scheme. They were to try and get in touch with the Spanish traders from the south and were fortified with a letter to the Spanish.\* Two years previously, Lisa had sent out a party with the same intentions and no word having been had of them, it was part of the errand of this later party to locate the missing ones. Some of the men in this first party never returned. The time was not ripe for trading with the Spanish and nothing came of the effort. Some men of

\* For this letter, see Bolton, H. E., "New Light on Manuel Lisa and the Spanish Fur Trade," *Southwestern Historical Quarterly*, XVII, 61-66.—Ed:

another party were taken by the Spanish and held prisoners for ten years.

On this trip Lisa had a journal-keeping clerk, Luttig by name, who wintered in the country and who gives us a glimpse of Sakakawea, the Shoshone woman, the wife of Charboneau, who guided Lewis and Clark on their memorable journey across the Rockies. The woman died of "putrid fever" that winter.

Reading old journals of fur-trading days gives some idea of the amount of game at that time. In journeying up the river and after leaving the settlements, hunters were put ashore every day and numbers of deer, elk, bear and (farther up) buffalo were killed for food. Brackenridge, who made the voyage up the river in 1811, tells about seeing several thousand buffalo in a frightful battle among themselves. "The noise grew to a tremendous roaring, such as to deafen us."

While Lisa was away on this voyage, at a meeting of the company he was dropped as a director and changes were made in the arrangements of the company. However, on Lisa's return the following year, it was decided to dissolve the company. Lisa's enemies were in the majority and had their way.

War with Great Britian had been declared while Lisa was up the river, but on his return he offered his services and was appointed a captain of an infantry company. He also became active in town affairs and was made a bridge commissioner.

On the dissolution of the company, Lisa formed an association with Captain Theodore Hunt, a fellow bridge commissioner, and boats were sent up the river, but on account of the war and the unrest of the Indians, trade was declining. The increasing number of traders was a contributing cause. The fur business remained in a languishing condition for a matter of ten years but up to the time of his death, Lisa could always command his big proportion of the trade.

Governor Clark with good judgment appointed Lisa

sub-agent for the Indians on the Missouri and during the war of 1812 this proved of inestimable value to the growing nation and prevented the massacre and devastation of many of the northern towns. Outside of possibly the Chouteaus, no man had greater influence with the Indians than Lisa. The northern Sioux through long association with the British trading companies were naturally strongly attached to their cause and needed little urging to attack, but Lisa with adroitness and use of his "fine Spanish hand" was able to detach the southern bands so that every time the northern Indians started on a drive, runners would reach them with the word that the others were marching to attack their villages, obliging them to turn back and making their attempts abortive.

The value of Lisa's services are best shown in a letter to his son, by Joseph Renville, the British guide and interpreter with the Sioux during the war, part of which is as follows:

During the war of 1812 the Americans from St. Louis stirred up much trouble between the Tetons and the Santees, and it seemed as if there was to be civil war in the Dakota Confederacy. Manuel Lisa was the American Agent and he set the Tetons against the Santees because the latter supported the English. That is the reason the Santees could not help the English more. Every time they started out to go to the lakes and Canada, runners would come and tell them that the Tetons were coming to destroy their families and they were compelled to return to their homes to protect their women and children. Lisa had his post either on American Island, where Chamberlain now is, or on Cedar Island above the big bend of the Missouri. He had a big post there and the Tetons were not nearly so poor as were the Santees, for they had plenty of buffalo meat and Lisa bought all their furs. Lisa was a very smart man, and he managed things so that all of the money and work of Dickson (the British agent) to get the Santees to fight was lost. He got one of our men (Tamaha, the one-eyed Sioux) to spy on his own people and let him know all that was being done. Lisa was met several times after

the war and he boasted about the way he managed the Tetons.

An example of Lisa's standing with the Indians is shown in his bringing to St. Louis in 1815 some forty-three friendly chiefs and headmen for a visit and to make treaties.

It is a curious fact that throughout his business career, Lisa was beset with enemies and rivals. But in no deal or controversy was he ever worsted. He also had life-long friends such as Governor Clark and other important men, and men remained in his employ year after year. Immel, who was one of his best traders remained with him up to his death. Lisa was suspected and accused of various things such as instigating the Indians against rival traders, but honest investigation fails to show any basis for the claims. That the man was a Spaniard and very successful, had much to do with this pronounced jealousy. General Ashley in 1822, either by raising the caches or bribing his men, obtained the furs belonging to Peter Skeen Ogden of the British Northwest Company and thus laid the foundation of his fortune. A similar act on the part of Lisa the Spaniard would have been execrated, but in the other it was merely considered sharp practice.

Lisa resigned his agency in 1817 and in his letter to Governor Clark declared himself and protested against certain calumnies which usually attach to successful men.

Someone has written that Lewis and Clark were the trail-makers and Lisa the trade-maker. The former laid the foundation of scientific geographic exploration of the far west, and the latter the foundation of a great industry. All of Lisa's expeditions were attended by discoveries. There was no Indian village of importance on the Missouri at which he did not at some time have a trading-post or fort.

Lisa was an all-around man and Brackenridge in his famous journal describes him as "a man of bold and daring character, with an energy and spirit of enterprise like that of Cortez or Pizarro. There is no one better acquainted with the Indian character and trade, and few

are his equals in persevering indefatigable industry." In trading with the Indians or passing through their country he always displayed great judgment. When promises or presents would suffice, they were freely given; if a show of force was the only way out, it was promptly offered. His life was threatened many times by both whites and reds, but he proved a fearless man and never felt the need of ordering, as did Kenneth McKenzie at Fort Union, a shirt of mail. Once on receiving word that the Sioux had broken out in open hostility the men all looked glum and dispirited, but not Lisa who would seize an oar or the helm, make an encouraging speech, send around the grog and raise the song.

Lisa had in all three wives, two white and one Mitain the daughter of an Omaha chief. His last wife, of the important Hempstead family and known as Aunt Manuel, survived him a number of years. He had no children by his white wives, but there were some by the other and the strain was continued from that connection.

Lisa returned from his last trip in April, 1820, and in August of that year passed away.

By his labor and enterprise, Lisa had risen to a high position in St. Louis and was second to none in big business and the affairs of that day. Had he lived a few more years and his plans been fulfilled, he would have achieved great riches, but the end coming rather suddenly, he probably left little in the way of quick assets.

Coming to St. Louis a comparative stranger where the families were closely related and quickly jumping to a position of prominence in the principal industry of the day, had much to do with the envy and antagonism which quickly attached to him. He was a leader, never a follower, and with definite objects in view, he hewed in straight lines. No man ever worked harder, and Colonel Chittenden estimates that in his journeys up the Missouri he traveled at least 26,000 miles, and this on a river difficult of navigation.

Many men who have done less in the way of industry



and service to the country have been honored in one way or another, and it remains for the State of Missouri to awaken to this knowledge and redeem its neglect by a memorial of some importance to Manuel Lisa, the man who did heroic work in the upbuilding of the state in its youth.

In writing this article I have made use of the written words of Brackenridge, Luttig, Chittenden and Douglas and hereby make grateful acknowledgement.

CHARLES A. GIANINI

Poland,  
New York.

## THE RODRIGUEZ EXPEDITION TO

NEW MEXICO, 1581-1582

(Concluded)

GEORGE P. HAMMOND AND AGAPITO REY

Chapter XI. How we left the settlement to go in search of the cattle, and the route we took.

On the twenty-eight day of the month of September of the said year we left the settlement and province of San Felipe<sup>45</sup> to go in search of the cattle, in view of the news that the natives had given us of them. On the first day we marched six leagues through plains with very good pasture for cattle.<sup>46</sup> Accordingly we thought the Indians had not told the truth, because we noticed the pasture untouched by cattle and tracks of them that seemed very old. This day we slept without drinking a drop of water, both men and horses. This occasioned much hardship. In such a situation we feared that our animals would become exhausted.

On the following day we marched over a mountain with many pine trees. It appeared to be the largest mountain that had been discovered in New Spain. It had groves of pine, carine and cypress trees. Then after five leagues we came to an extensive region of rolling ground where we found a large basin of rain water. Here the horses, which were somewhat tired out from the previous day, drank. We stopped here for the night.

We left on the following day and continued to march through plains. When we had traveled seven leagues night came, and we went without water as on the preceding day. So we thought we were lost, due to the lack of water and because the Indians had told us the cattle were two days away from the settlement. We had traveled three good days, and as we failed to locate them we thought we were lost. But great was the courage which God our

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45. San Felipe was not only the name applied to the first pueblo discovered by the party in New Mexico, but also the general name for the entire province.

46. The party set out from the pueblo of Piedra Ita in the Galisteo valley. Gallegos states they returned to the pueblo from which they had started, and a little later names the pueblo. See below. Obregón makes the same statement about returning to Piedra Ita, the pueblo from which they started though he also makes the general and misleading remark that "they set out from the river Guadalquivir and the town of Malpartida." Pt. II, ch. vi and vii.

Lord inspired in us, emboldening us to penetrate strange and hostile lands.

The next morning after marching a league God was pleased that we should hit upon a pool containing a great deal of brackish water, which was located in a dale forming a plain. We stopped here to refresh the animals from the fatigue of the foregoing day. On the following morning we continued our march along this dale, and all along it we found pools of very briny water. So we called it Valle de San Miguel, because we reached it on the day of the blessed Saint Michael. This valley is suitable for sheep. It is the best that has been discovered in New Spain. On that day we marched five leagues down this valley and came to a very large pool of water where we halted for the night. We noticed that numerous people had left this place the preceding day and we found many tracks of the cattle. For this reason we thought they must be the people who follow the cattle, and that we were close to the latter. This pleased us very much, due to our desire to see them.

The next morning after traveling a league we came to a river of much water and many trees which we named Rio de Santo Domingo.<sup>47</sup> This is a river of brackish water suitable for cattle. Accordingly we thought the cattle would be along this river, because a river as good as this one could not fail to be frequented by cattle. For, all along the way we had found tracks of cattle.

Marching down this same river four leagues we came upon a column of smoke which we had noticed. We wanted to see whether there were people there from whom we could inquire concerning the cattle. We came upon a ranchería located on this river. In it we found fifty huts and tents made of hides with strong white awnings after the fashion of army tents. Here we were met by over four hundred warlike men armed with bows and arrows. They asked us by means of signs what we wanted. We told them we were coming to visit them and that they were our friends. Nevertheless they were intent on shooting arrows at us. We had decided to attack them, but did not do so as we waited to see whether they desired peace. We restrained ourselves, although we were on the point of breaking off with them if they so desired, for there was no fear in us. We withdrew our force to see what the outcome would be. Then we made the sign of the cross with our hands as a sign of peace, and the Lord was pleased to inspire them with fear and to increase our courage. When they saw we were making the sign of the cross as an indication of peace they too made the sign to signify peace. Moreover they welcomed us to their

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47. It was the Pecos, perhaps near Anton Chico. Mecham, *op. cit.*, 284.

land and ranchería. Then Father Fray Agustín Rodríguez dismounted and gave them a cross to kiss, which he wore at his neck, in order to let them know we were children of the sun and that we were coming to visit them. They soon began to rejoice and to make merry, and to give of what they possessed.

We stopped that day in this ranchería. We called the attention of all the Indians and then discharged an harquebus among them. They were terrified by the loud report and fell to the ground as if stunned. It was God our Lord who inspired such fear of an harquebus in these Indians, in spite of the fact that there were two thousand men together. They asked us not to fire any more harquebuses, because it greatly frightened and scared them. We were very much pleased by this, although we did not let them notice it. We asked them where the cattle were, and they told us that two days farther on were large numbers of them, as many, so they indicated, as there was grass on the plain. They described to us the land where the cattle roamed. No one wished to come along with us. Thus we saw that we had strayed and had not followed the route that the Indians of the pueblos had told us of.

These naked people wear only cattle-hides and deerskins, with which they cover themselves. They sustain themselves on the meat of the cattle which they come to eat at this season. During the rainy season they go in search of prickly pears and dates. They have dogs which carry loads of two or three *arrobas*.<sup>48</sup> They provide them with leather pack-saddles, poitrels and cruppers. They tie them to one another like a pack train. They put maguey ropes on them for halters. They travel three or four leagues per day. They are medium sized shaggy dogs.

On the following morning we marched down this very river. As we found no cattle after two days travel, we wandered on bewildered. It was not advisable to travel over plains like those without guides, so we returned to the river by command of our leader. We went to the ranchería, where we had left many people, in order to get an Indian from them, either willingly or by force, to take us to the cattle. This was done and we went to the said ranchería and an Indian was apprehended and taken. He was brought to the camp and we delivered him to our said leader so that we could start at once and continue the journey to the cattle. Seeing that the Indians of this ranchería had become angry we decided to fully prepare ourselves for battle, as we were in the habit of doing under such circumstances, and to keep careful vigil, even though we were tired, because we had been keeping guard for six months. This

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48. An *arroba* is 25 pounds.

annoyed us a great deal, for one can well imagine that keeping guard every night for a whole year was not only enough to exhaust eight men, but forty, not to consider our small number.

Then in the morning we started with the guide and marched laboriously for three days, because we lacked water during this time, until we reached a place where we found some small pools of water where the Indians were accustomed to drink. We opened them by means of hoes, for they did not contain enough water for one of our animals. God was pleased that as these pools were opened so much water flowed from them that it was sufficient to satisfy ten thousand horses. We named these water pools Ojos Zarcos. Traces of the cattle were found here. A beast was killed. It was the first that had been seen on the trip. This inclined us to believe that the cattle were nearby. The next day we stopped at the said pools in order to refresh our horses, which were tired out from the previous day. We had gone without water for over forty hours, and if we had lacked it another day we should have perished, But that is why God our Lord is merciful, for in the time of greatest need, He gives aid, and this was especially so at that time.

We asked the guide whom we took along where the other cattle were, of which he said there were many. He answered that we would see them the next day, that they were at a water hole and that there were many of them. So on the following day, which was the ninth day of the month of October of the said year, we reached some lagoons of very brackish water. Here we found many pools of briny water along a valley that extends from these lagoons toward the place where the sun rises. We named this valley Los Llanos de San Francisco and Aguas Zarcas, because it formed such good plains.<sup>49</sup> In these plains is a water hole, the best to be found in New Spain for people afflicted with dropsy.

In these plains and lagoons we found numerous cattle, which were seen in great herds and flocks of over five hundred head, both cows and bulls. They are as large as the cattle of New Spain. They are humpbacked and woolly; the horns short and black, the head large. The bulls have beards resembling he-goats. They are fairly swift. They run like pigs. They are so large that when they stand in the midst of a plain they resemble ships at sea or carts on land. According to our estimate and of those who discovered them, they must weigh over forty *arrobas* each after they are three years old or more. Their meat is delicious, and to our taste as palatable as that of our cattle.

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49. The Spaniards had reached some place on the headwaters of the Candian river.

We killed forty head for our use by means of the harquebuses. They are easily killed, for no matter where wounded they soon stop, and on stopping they are killed. There is such a large number of cattle that there were days when we saw upward of three thousand bulls. The reason there are so many bulls together is that at a certain season of the year the bulls separate from the cows. They have very fine wool, suitable for any purpose, and their hides are the best that have been found on cattle discovered up to the present time.

Here in this valley we were informed that the said valley and its water extended to the river where the great bulk of the cattle roamed, which, according to the natives, cover the fields in astounding manner. The leader and the discoverers decided to go and see this river they spoke about.<sup>50</sup> Later we decided it was not a good plan, because we were running short of supplies. Had it not been for this drawback and for our desire to come back to inform his majesty of what had thus been discovered, we would have gone on to explore the said river.

Thus on the nineteenth day of the month of October of the said year we left this valley of San Francisco on our way back to the pueblo from which we had started. From the settlement to the location of the cattle we traversed forty leagues of difficult road. We were on the point of perishing for lack of water and for having failed to obtain a guide at the said settlement. We learned that from the settlement to the cattle are two days of travel, more or less, following the route of which the said Indians had told us. We came back over the same route we had followed on our first incursion, because we knew of no other.

We sent ahead the Indian we had taken as guide from the ranchería. He was well laden with meat and very happy because he had seen us kill the cattle. Indeed it seemed as if the will of God had planned that no one should fire his harquebus at the cattle without felling one. This greatly astonished the guide who had led us to the said cattle. When he was gone he told of what he had seen us do; how we killed the cattle, and other things. In view of this the whole ranchería which we had left behind and from which we had taken the said guide by force came to meet us peacefully. They said that they wanted to take us to the cattle, that they would take us to a place where there were many of them, as they showed us by signs. We gave them part of what we had, viz., of the meat, to those who seemed to be caciques, for they stand out readily. We told them we would return shortly. They were much pleased by

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50. The reference is to the Canadian river valley.

this and gave us to understand that they would await us. Thus we left them. However we were on our guard, in order that under the pretext of friendship and peace which they showed us they should not want to avenge the seizure of the guide whom we had taken from them to go to the cattle. He was one of their own people. Thus we returned to the said settlement.

Chapter XII. Telling how upon our arrival at the said settlement we gave orders that they should provide us with food supplies.

When we arrived at the said settlement, at the pueblo which we named Piedra Alta,<sup>51</sup> we decided that at that pueblo we would start (51a) to explain how we had run short of provisions, in order that the natives of the said pueblo and of the others, should give us the food and provisions we needed for our support. Moreover if they gave us these things in this pueblo they would be given to us everywhere in the province. For up to that time they had not been asked for anything for our maintenance.

We all assembled to speak to our leader in order to determine the method which should be used in gathering the provisions. It was decided that first of all they should be told by means of signs that we had run out of the supplies which we had brought for our support, and since they had plenty they should give us some of it because we wanted to go away. When they saw this and that the supplies we had brought had been exhausted they thought of catching us and killing us by starvation, and they acted as if deaf. We told our leader that the natives had paid no attention to us, that they pretended not to understand us. To this our leader replied that it was not proper to take it from them by force, for we saw plainly that the people were very numerous in these pueblos, that they would give the warning and that within an hour three thousand men would gather and kill us. Seeing that our leader had replied in those words the said soldier answered that inasmuch as he had authority to take from them the provisions we needed for ourselves as well as for our horses he should make use of it, because we wanted to die fighting, not from starvation, since we were in a country with plenty of food. The said leader rejoined that we could do what we thought best, provided there should not be any disturbance in the country and that they should give us the provisions willingly, because he was ill.

When our men saw that the native Indians were becoming hostile to our request seven companions and our leader, who rose from the

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51. A mistake in the manuscript for Piedra Ita. For location, see note 100.

51a. The Spanish reads: ". . . se empezase á dar cuenta. . ."

illness afflicting him, armed themselves and went to the said pueblo with their arms and horses in readiness for war. When the Indians saw we were armed they withdrew into their houses, entering and fortifying themselves in the said pueblo, which was composed of three hundred three and four story houses all of stone.<sup>52</sup> The said Spaniards seeing that the Indians had retired to their houses entered the town, and carrying a cross X in their hands asked them to give them some ground corn flour because they had nothing to eat. They understood it, but held back, not wishing to give it. Seeing the evil intentions which the Indians harbored, some of our men fired a few harquebuses, pretending to aim at them in order that through fear they might be intimidated into giving us the food we needed, and in order that they should understand that they had to give it to us either willingly or by force.

In order that no one should complain of having much and another little the said soldiers decided that each house should contribute a little. For this purpose a measure was made which contained about half an *almud*<sup>53</sup> of ground corn flour. Then the natives, because of their fear of us and of the harquebuses and because they saw that they roared a great deal and spat fire like lightning, thought that we were immortal, since we had told them we were children of the sun and that the sun had given them to us for our defense. Thus all the Indians of the said town brought us much ground corn from every house. As we did not ask them for anything else except food for ourselves they all gave something and told us they were our friends. However the friendship they showed for us was due more to fear than to anything else. We were on our guard lest that as Indians they should treacherously plan some trick to hit us in the head.

Since they had given us nine loads of flour at that town as a present the news spread throughout the province, and thus we were given exactly the same amount, no more nor less, at the other towns. Accordingly we did not lack food during the entire trip. We gave many thanks to God for this and for the many favors He had granted us, which enabled us never to lack provisions. Thus they gave us supplies as tribute in all the pueblos, and they are accustomed to it, so that they will not resent giving it when someone goes to start settlements [among them]. Together with the supply of corn and flour which they had given us they gave us large numbers of turkeys, for they have large flocks of them and do not value them highly. Of the provisions they offered and gave us we took only

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52. Hence the name, Piedra Ita.

53. The *almud* is an old measure equal to about an English peck.



what was necessary, and what was left over we returned to them. This pleased them very much and they told us they were our friends and that they would give us food and whatever we might need. They did this due to fear rather than because they desired to give it to us.

Chapter XIII. Concerning how they desired to kill us, the gathering that was held and how they began to lose their fear of us.

After what has been related above had taken place and after they had given us what we needed for our support the natives determined, as Indians, to seize us treacherously during the night and kill us if they could. The cause was that after seeing the settlement, and being very much pleased with it, Father Fray Juan de Santa María, one of the religious in the party, decided to return to the land of the Christians to give an account and report of what had been discovered to his prelate and his excellency.<sup>54</sup> Everyone condemned his determination as being neither right for him nor for the said soldiers, [and said] that he should not go, because he was placing us in great danger and was going through hostile territory, and because we had not yet examined the nature of the land. [We said] that he should wait until we had seen everything about which the natives had informed us, that we should go to see the cattle in order that a complete report of all this might be taken to his prelate and to his excellency, for any account that he could give was insignificant as we had not seen the best part. To this advice offered him Fray Juan de Santa María replied that he was determined to go to the Christian land, to leave and report on what he had seen. His departure brought about disturbance in the land and caused us much harm. Without being given permission by his superior he left the party on the eve of the day of Our Lady of September.<sup>55</sup>

When the natives saw that the friar was leaving us they became alarmed, believing he was going to bring Christians to put the natives out of their homes, for they asked us by means of signs where that man was going all alone. We tried to dissuade them

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54. Father Santa María's departure from New Mexico took place on September 8, 1581. On September 10 an affidavit of his leave-taking was made. A. G. I., 58-8-9. A translation of this document may be found in *Southwestern Historical Quarterly*, XXIX, 224-231. His departure thus occurred before the expedition to the buffalo plains, which was not begun till September 28.

55. By "Nuestra Señora de Septiembre" Gallegos refers to the birthday of the Blessed Virgin Mary, September 8. September is her holy name. *The Book of Days*, R. Chambers, ed., II, 323.

from the malevolent thoughts which they had exhibited, but this did not prevent the Indians from evil doings, as they were Indians. The evil was that they followed the said friar and after two or three days travel from us they killed him. We heard of this when we returned from the cattle, for until then we knew nothing. Even though the natives told us they had killed him in the sierra, which we named the Sierra Morena, we pretended not to understand it. Seeing that we paid no attention to the death of the said friar and that they had killed him so easily they thought they would kill us just as easily. From then on they knew we were mortal, because up to that time they had thought us immortal.<sup>56</sup>

When we saw the natives had killed the said friar and that they intended to do the same thing to us we decided to withdraw gradually. We stopped at a pueblo which we named Malpartida, from which at a distance of a league we discovered some mineral deposits. While we were at this pueblo other Indians from the pueblo which we named Malagón killed three of our horses.<sup>57</sup> We soon missed them and learned how the Indians of the district of Malagón had killed them. When the leader and the soldiers saw

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56. A controversy has been indulged in by some, especially by Dr. J. L. Mecham and Father Zephyrin Engelhardt, O. F. M., relative to this expedition. Mr. Mecham speaks of the "Chamuscado-Rodríguez exploring party," indicating that the missionary purpose of the group was only of secondary interest. Father Engelhardt says, "There was no such exploring party with Brother Rodríguez a member." He would have us believe that the missionaries were the leaders of the enterprise, while Chamuscado and the soldiers were to act as their protectors. Mecham's view is more nearly the opposite. As a matter of fact our information regarding the organization of the expedition is scant. Perhaps the true explanation lies somewhere between these extremes. The soldiers certainly did not pay their own expenses on such an expedition merely for the honor of guarding the friars. They were also interested in prospecting, in material gain. The reason that they accompanied the missionaries was that the laws of 1573, regulating new conquests, forbade the customary marauding expeditions into new territory. Henceforth explorations must be conducted under the guise of missionary enterprises. They had accordingly seized the opportunity offered in 1581 to go to New Mexico in the company of the friars and as their protectors. Once in New Mexico they were determined to see all that there was to be seen in the province, whereas the friars were more interested in spreading the Holy Gospel. From then on their interests diverged. See Mecham, *op. cit.*, 235 ff; also his "Supplementary Documents relating to the Chamuscado-Rodríguez Expedition," in *Southwestern Historical Quarterly*, XXIX, 224-231; Father Zephyrin Engelhardt, O. F. M., "El Yllustre Señor Xamuscado," in *ibid.*, XIX, 296-303. Also, *Catholic Historical Review*, and *The Southwestern Catholic*, Jan. 6 and 13, 1922, for further comment by Father Engelhardt.

57. Malagón, near Malpartida, was probably identical with San Lázaro, a pueblo ruin twelve miles southwest of Lamy. Mecham, "The Second Spanish Expedition," *op. cit.*, 283.

this they<sup>53</sup> determined that a case like that should not go unpunished. The said leader ordered five of the party, Pedro de Bustamente, Hernán Gallegos, Pedro Sánchez de Chaves, Felipe de Escalante and Pedro Sánchez de Fuensalida, to go to the town of Malagón, where it was reported they had killed the three horses, to discover and bring before him the guilty, either peacefully or by force, and to make some arrests at the said pueblo in order to intimidate the natives.

When the soldiers saw what their leader had ordered the five afore-mentioned comrades, the latter armed themselves and their horses and went to the said pueblo of Malagón which they found had eighty houses of three and four stories with plazas and streets. Entering it in fighting order and as men who were angry they asked the said Indians on top of the houses in the said pueblo,—who were the ones that had killed the horses that we missed. In order to ward off the harm that might befall them they replied they had done no such thing. As soon as we saw that they replied they had not done it, we discharged the harquebuses to make them believe we wanted to kill them. We incurred great risk in doing this, for [we were only] five men to invest eighty houses in which there were over a thousand souls. When we had fired our harquebuses they entered their houses frightened and stayed there. To placate us they threw many dead turkeys down the corridors to us, but we decided not to take them that they might know we were angry. Then we asked twenty or thirty men who appeared up on the roof and who seemed to be chiefs of the pueblo - the cacique among them - to give us the horses or those who had killed them. To this they replied that the people from that pueblo had not done it and they asked us not to be angry, for they were our friends.

Since they did not deliver those who had killed them Hernán Gallegos, Pedro Sánchez de Fuensalida and Pedro de Bustamente dismounted and went up to the houses to see if they could find any trace of the flesh of the horses. The other men guarded the pueblo so that their companions should not run any risk. Then Hernán Gallegos and Pedro de Bustamente found pieces of horseflesh in two houses of the said pueblo. At once they came out and notified the other comrades of the discovery of the flesh. Next the harquebuses were fired once more and the Indians, seeing what we did, were more frightened than emboldened, since we had done as we wished with such determination. Then the said Hernán Gallegos and Pedro de Bustamente mounted, and all five men holding horseflesh in their hands, again asked the Indians who were looking at them, who of

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53. The Spanish form is "we."

their number had killed those horses whose flesh we had found there. [We told them] to give us the Indians who had killed them because we wanted to kill them or take them to our leader that he might have them put to death. Furthermore if they did not want to give them up we would have to kill them all. [We challenged them] to come out of the pueblo into the open to see whether they were brave men. They were very sad and answered that they did not want to fight with us, for we were brave men, that in the next pueblo were the Indians who had killed our horses, thinking they were cattle like theirs.

Then the said soldiers attacked the pueblo again in order to capture some Indians. The said Indians took refuge in the said pueblo and some of them hurled themselves from the corridors into the open in order to escape. Hernán Gallegos and Pedro de Bustamente rushed after them and each took his Indian by the hair. The natives were very swift, but the horses overtook them. After apprehending them they and the other soldiers took them to the camp, where the said leader was, so that in view of the crime which the natives had committed they might be chastised, both as a punishment for them and as an example for the others.

Before this and before returning to the said camp we decided to set fire to the pueblo so they should know they must not perpetrate such a crime again. The mentioned Pedro de Bustamente then picked up a bit of hay, fire was started by means of the harquebus, and he wanted to set fire to the said pueblo. But it was not allowed by the other companions that the town should be burned and so many people perish, in order that what had been done by eight should not be atoned for by all.<sup>59</sup>

Thus we returned to the said camp<sup>60</sup> with the said prisoners and delivered them to our leader, who ordered that they should be beheaded on the morning of the following day. To this the said soldiers replied, warning him to consider what it meant to imprison those Indians for a day; that it was not good policy; that if they were to be executed it should be done at once, for there were over a thousand men in the camp who would attempt some wickedness on account of the imprisonment of said Indians. When the said leader saw that what the said soldiers told him was right he ordered that Pedro de Bustamente together with the *escribano* and the other soldiers should place a block in the middle of the plaza of the said

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59. That is, by those who might subsequently come to New Mexico.

60. At the pueblo of Malpartida, Mecham states that they returned to the pueblo of Galisteo, *op. cit.*, 285. This is clearly erroneous, as Gallegos explicitly states they were at Malpartida. See above.

camp, where the other Indians were watching, and that their heads should be severed with a cutlass as punishment for them and as an example for the others. This was carried out as ordered.<sup>61</sup> However as the religious had decided to remain in that settlement it was determined to do it in such a way that at the time when the said Indians were to be beheaded they [the friars] should rush out to free them, assail us and take them away from us in order that they might love them. [This was done] because they wished and were determined to remain in that land. It was planned in such a way that at the moment when they went to cut off the heads of the Indians the friars came out in flowing robes and removed the Indians from the block. As we pretended that we were going to take them, the Indians who were watching immediately took hold of the said friars and Indians and carried them away to their houses because of the great support they had found in the religious. Due to what had been done and attempted the natives became so terrified of us that it was surprising how they trembled. This was willed by God on high because our forces were small.

On the morning of the next day there came from the town of Malagón many Indians laden with much food and many turkeys for our support. [They entreated us] not to be angry with them, for they would not do it again.<sup>62</sup> In the future they would watch and round up the horses so that none would be lost. [They assured us] that they were our friends. We were very much pleased at this, although we did not let them know about it, in order that they and the others might fear us more than they did.

A few days later they assembled for the purpose of killing us. But that did not deter us from going to explore the land in order to verify the information that had been given us. When we left and [again] when we returned to the said camp we realized plainly and definitely they wanted to kill us and that the people were gathering for that purpose. We decided to take precautions and to keep watch very carefully as we had done up to that time. As we did this with more zeal than in the past the natives became aware of it. If they had shown us great friendship before this, adding [to this zeal] the fear they had of us, they showed much more now. We came to know clearly from these very people that they wanted to kill us. We wanted to attack and kill them and burn some of their small pueblos even though we should perish in the attempt in order that they might fear the Spaniards. We challenged them many times so that they might know there was no cowardice in us. But as the

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61. That is, the chopping block was set up in the plaza; no heads were cut off.

62. *Viz.*, they would not kill any more horses.

friars had decided to remain in the said settlement we sometimes, in fact most of the time, relinquished our rights in order that the fathers might be left happy in this province. Nevertheless their stay was against the judgment of all, because the natives had killed the other father and because they were to remain among so many idolatrous people.

EVIL PRAC- The rituals performed by the people of this settlement  
TISES OF were not learned, except that when some one dies they  
THESE PEO- dance and rejoice, for they say the one who dies goes to  
PLE. him whom they worship. They cast them in caves like  
cellars which they have. Every year on designated days they offer  
and throw many things at the foot of the cellars where they place  
these bodies.

The *mitotes* which they perform to bring rain when there is a lack of water for their irrigated corn fields are of the following nature.<sup>63</sup> During the month of December they begin to perform their dances. They continue more than four months at intervals of a certain number of days, every fifteen days, I believe. The *mitotes* are general, for the people gather in large numbers, only the men, the women never. They begin in the morning and last until evening and are held around a mosque which they have for this purpose. [They continue] throughout the night. An Indian chosen for the purpose sits in the midst of them and they dance before him. Close to this Indian are six Indians holding fifteen or twenty sticks.<sup>64</sup> They walk about and dance. At each dance one of them steps out and puts seven sticks into his mouth which are three spans in length and two fingers in width. When he finishes putting them in and taking them out of his mouth he remains as if fatigued. Then he dances with two or three of the said sticks in his mouth. Next they give the one who is sitting as 'lord' seven lashes with some whips made for the purpose of light flexible willows. These lashes are given him by the Indians who stand close to him, for he has six Indians on each side, so that at each dance they give him thirty-six lashes. These lashes are given in such a manner that they draw blood, making him look like a Disciplinary. When they have administered these seven lashes they continue to dance and to give him an equal number of lashes until they make him bleed in such a way that his

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63. In the main the long and intricate ceremonies, including the dance ceremonies, performed by the Indians of the southwest are invocations for rain, bountiful harvests and the creation of life. See Hodge, *Handbook*, I, 382; and Farrand, *L. Basis of American History*, 187.

64. These are prayer sticks. Without them the prayer would be ineffectual.

blood flows as if they had bled him. [They do this] until he begins to collapse. But in spite of this he shows no sign of pain. On the contrary he speaks to a large snake as thick as an arm and which coils up when it wants to talk. The whipped 'lord' calls to it, and it answers in such a manner that it can be understood. We thought this might have been the devil who has them enslaved. For this reason God our Lord willed that this settlement and its idolatrous people should be discovered in order that they might come to the true knowledge.

Furthermore at these *mitotes* two Indians carrying two vipers in their hands walk around in their midst. The vipers are real, for one can hear the rattles which these snakes have. They coil around the neck and creep all over the body. They come dancing and performing their motions toward the place where the lashed man is, whom they acknowledge and obey as 'lord' on that occasion. They hold the vipers in their hands and falling on their knees before the flayed one give him the two snakes. He takes them and they creep up his arms toward his body, making a great deal of noise with their rattles, and they wind about his neck. Then the flayed one rises, swings around quickly and the snakes fall to the ground and coil up. Then they are picked up by those who brought them, who, kneeling take them and put them in their mouths and disappear through a little door which they have.

When this is over two domestics come there. These go around among the natives howling in startling and depressing manner. As soon as this *mitote* is over the one who has been lashed gives a certain number of sticks adorned with many plumes, that they may place them in the corn fields and water pools, because these people worship and offer sacrifice before the water holes. They do this and say that they will then never lack water. The ones who suffer the flaying remain so badly lacerated that their wounds do not heal in two months. They are so neat and well adorned in these *mitotes* and dances that it is a thing worth seeing.

The custom of their marriages is described here so that it may be seen how much ability God our Lord has bestowed upon the people of this settlement.<sup>65</sup> It is that whenever anyone wishes to marry according to their practise all his relatives and part of the settlement assemble and perform their dances. The marriage and the festivities last more than three days. The first thing they give them is a house in which they may live. This is given to them as a dowry by the father and mother-in-law, parents of the bride. The

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65. Regarding marriage customs of the pueblo Indians, see Hodge, *Handbook*, I, 309; and Farrand, *op. cit.*, 185-186.

house is two, three or four stories high. In these stories they have eight or ten rooms. The newly married couple are seated on a bench. At the side of the bride stands an Indian woman as bridesmaid and on the side of the groom stands a male Indian who act as groomsman. Separated from them stands an old man of many days, very well dressed in painted and worked blankets. He acts as the priest, and tells them from time to time to kiss and embrace and they do as the old man tells them.

They place before them their painted and adorned blankets and the groom clothes his bride with her blankets and she places his on him in such a way that they clothe one another. Then the old man talks. As we did not know the language we did not understand what he was saying. But by the motions we understood he was telling them that they should love each other very much, for that was the purpose for which they had been united. When this is over they place before the bride a millstone, a pot, a flat earthenware pan, vessels, *chucubites*, and the *metate* in her hand. The old man tells the bride that those things placed before and given her, which are all entirely new, signify that with them she is to grind and prepare food for her husband; that she is to feed him and to prepare two meals for him every day, one in the morning and the other in the afternoon. They dine and retire early and rise before day-break. She answers she will do so.

Then he speaks to the groom. They place before him a Turkish bow, a lance, club and shield. These things are to signify to him that with those weapons he is to defend his home and to protect his wife and children. They give him his crate and *mecapal*<sup>66</sup> for carrying burdens. Then they place a hoe in his hand to signify that with it he has to till and cultivate the soil and gather corn to support his wife and children. He answers that he will do everything indicated. Moreover they give him lands in which to plant corn. Then the dances continue. Afterward they are taken to their house. All that day there is food in plenty. This consists of turkeys, beef, tomares, tortillas and other things. The order with which they do what has been described above is astounding. For a barbarous people the neatness they observe in everything is surprising.

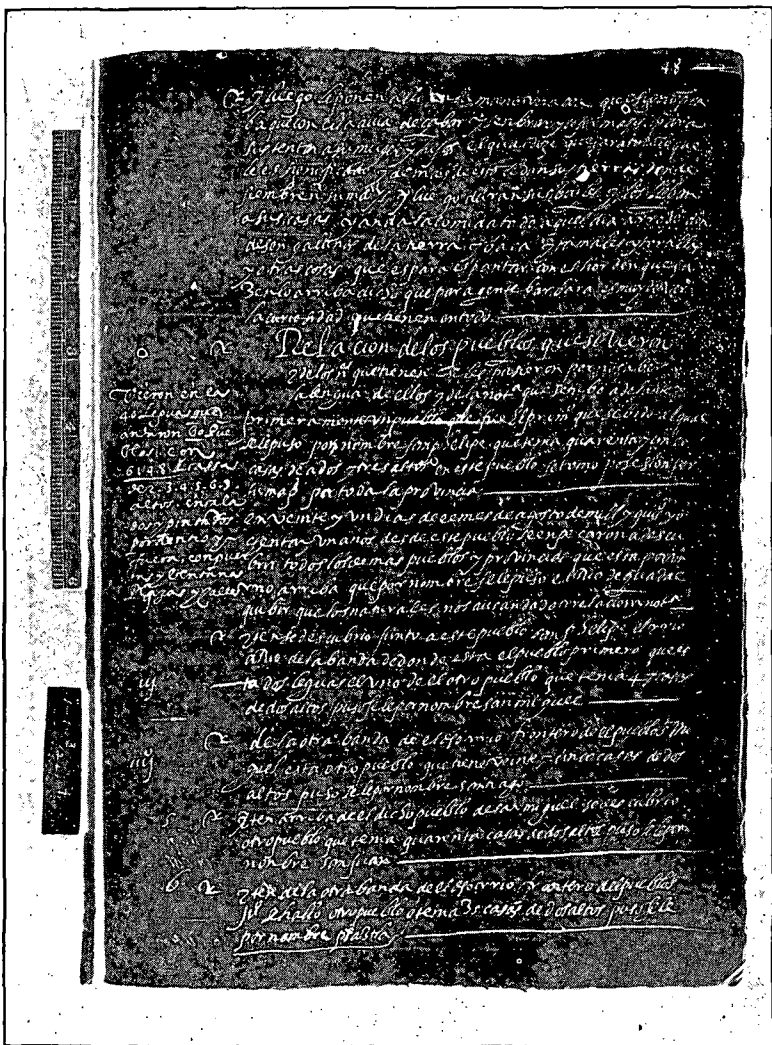
*Account of the pueblos that were seen, of the names they bear and which were given them because of ignorance of the language of the people, and of the information gathered [concerning the land] farther on.*

First a pueblo [was found], the first to be seen, which was

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66. It is a leather band with ropes used by porters.





A PAGE OF THE GALLEGOS RELATION

named San Phelipe.<sup>67</sup> It had about forty-five houses two and three stories high.<sup>68</sup> In this pueblo possession was taken of the whole province for his majesty, on the twenty-first day of the month of August in the year fifteen hundred and eighty-one. From this pueblo they began to discover all the other pueblos and provinces. It is located along a river which we named the Guadalquivir river,<sup>69</sup> of which the natives had told us.

Likewise, close to this pueblo of San Phelipe, on the same side of the river where the first pueblo is located, another pueblo was found about two leagues distant, containing about forty-seven two story houses. It was named San Miguel.<sup>70</sup>

On the opposite bank of this river, across from the pueblo of San Miguel, is another pueblo which has twenty-five houses two stories high. It was named Santiago.<sup>71</sup>

Likewise, above this pueblo of San Miguel there was found another pueblo containing about forty two story houses. It was named San Juan.<sup>72</sup>

Likewise, on the other side of the said river, opposite the pueblo of San Juan, another pueblo was found containing about thirty-five two story houses. It was named Piastla.<sup>73</sup>

On this same bank, above the said Piastla, there was found another pueblo of about eighty-five two story houses built around two plazas. It was named Piña. This pueblo is located in a large meadow formed by the said river.

Farther up along this river, on the side of the Sierra Morena, another pueblo was found which was named Elota.<sup>74</sup> It has four-teen houses two stories high.

On the same bank farther up the river another pueblo was discovered which was called El Hosso.<sup>75</sup> It has fifty houses two stories high.

Near this pueblo, on the said shore, on a basin formed by this

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67. The Spaniards were coming up the west side of the Rio Grande. There is no mention in any of the documents that they crossed the Rio Grande.

68. It was one of the Piro villages in the San Marcial region, perhaps near Fort Craig. Mecham, "The Second Spanish Expedition," *op. cit.*, 273. In this very valuable paper Dr. Mecham has attempted to locate practically all the pueblos mentioned by Gallegos. His findings will be briefly given in these notes.

69. The Rio Grande.

70. Identical with Trenaquel. Mecham, *op. cit.*, 273.

71. Identical with Qualacu. *Ibid.*

72. Seemingly identical with Senecu, located at San Antonio. *Ibid.*, 274.

73. It compares with San Pascual. *Ibid.*

74. Piña and Elota were in the Socorro district. *Ibid.*, 275.

75. It seems to agree with Alamillo in locations. *Ibid.*

same bank of the river, another pueblo containing fourteen houses two stories high was found. It was named La Pedrosa.<sup>76</sup>

Along this said river another pueblo of twenty-five two story houses was discovered. It was named Ponsitlan.

Moreover along this river another pueblo containing twenty-five two story houses was found. It was named Pueblo Nuevo.<sup>77</sup> It was given this name because the building of this new town was just begun.

Above the said pueblo of Ponsitlan another pueblo was discovered. It had fifteen houses two stories high. It was named Caxtole.<sup>78</sup>

On the opposite bank of this river, facing the pueblo of Caxtole, another pueblo containing one hundred two story houses was found. It was named Piquinaguatengo.<sup>79</sup>

On the opposite bank of the river, on the side of the Sierra Morena, there is another pueblo of forty houses two stories high. It was named Mexicalcingo.

Above this pueblo there was discovered another one that had seventy houses two and three stories high. This pueblo is divided into two sections, the one being an harquebus shot distant from the other. It was named Tomatlan.

Fronting this pueblo of Tomatlan, on the opposite bank of the river, another pueblo which had one hundred and twenty-three two and three story houses was found. It was named Taxumulco.<sup>80</sup>

Up the river, above the pueblo of Taxumulco, there was discovered another pueblo containing one hundred houses of two and three stories. It was named Santa Catalina.<sup>81</sup>

Up the opposite side of the river, toward the Sierra Morena, another pueblo containing fifty two story houses was found. It was named San Mattheo.<sup>82</sup>

Likewise, above the pueblo of San Mattheo, another pueblo of

76. La Pedrosa was only two harquebus shots distant from El Osso. *Ibid*

77. Both Ponsitlan and Pueblo Nuevo, the last of the Piro villages, were on the east bank of the Rio Grande, one of them probably being identical with Sevilleta. *Ibid*.

78. This is the first of the Tigua villages, located on the east side of the river.

79. Mecham identifies Piquinaguatengo with the pueblo of San Clemente, on the present site of Los Lunas. *Ibid.*, 276.

80. Taxumulco was probably identical with Iselta. *Ibid*.

81. This pueblo agrees with Alameda in location. As Professor Hackett has shown it was west of the river in 1681. *Ibid*; and Hackett, C. W. "The Location of the Tigua pueblos of Alameda, Puaray, and Sandia, 1680-1681," in *Old Santa Fé*, II, 381 ff.

82. San Mateo was the Puaray of 1680. Mecham, *op. cit.*, 277.

one hundred and twenty-three houses of two and three stories was encountered. It was named Puaray.<sup>83</sup>

On the bank of the river there was found another pueblo containing [there is a blank] of two and three stories.<sup>84</sup> It was named San Pedro. This pueblo is above Santa Catalina.

Above the pueblo of San Pedro another pueblo of forty houses two and three stories high was discovered. It was named Analco.

Above the said pueblo of Analco another pueblo with eighty-four two and three story houses was found. It was named Culiacán.

Above the said pueblo of Culiacán there is another pueblo containing one hundred houses two and three stories high. It was named Villarrasa.

Likewise, above the pueblo of Villarrasa is another pueblo of one hundred and thirty-four two and three story houses. It was named La Palma.

On the opposite side of the said river, above the pueblo called Puaray, there was found another pueblo of twenty houses two stories high. It was named Zenpoala.<sup>85</sup>

Above this pueblo of Sempoala there was another pueblo that contained seventy-seven houses of two and three stories. It was named Nompé.

On the same side, up the said river, another pueblo of one hundred and twenty-three two and three story houses was found. It was named Malpais. It was given this name because it is close to a *malpais*.

Likewise, above this pueblo of Malpais, up the river, there was found another pueblo which had one hundred and forty-five houses of two and three stories. It was named Caseres.<sup>86</sup> Possession of it was taken for his majesty on the second day of September of the said year.

Further, above this town of Caseres another pueblo which had sixty houses of two and three stories was found. It was named Campos.<sup>87</sup>

Likewise, opposite this pueblo of Campos, on the other side of

83. Mecham thinks that Gallegos' Puaray was identical with Sandia, which was one league above the Puaray of 1680. *Ibid.*, and Hackett, *op. cit.*, 333.

84. Mecham says its contained 62 houses. *Op. cit.*, 277.

85. These pueblos, Analco, Culiacán, Villarrasa, La Palma, and Sempoala, were in the region opposite Bernalillo. Mecham, *op. cit.*, 277.

86. Nompé, Malpais and Caseres were probably between Sandia and Bernalillo, on the east bank of the river. *Ibid.*, 277-278.

87. Campos was the first Queres pueblo seen. It was near the present site of Santo Domingo. *Ibid.*, 278.

the river, there was found another pueblo which had eighty houses of two and three stories. It was named Palomares.<sup>88</sup>

Again, up the river, another pueblo of two hundred and thirty houses of two and three stories was discovered. It was named Medina de la Torre.<sup>89</sup>

Near this town of Medina de la Torre, on the northern bank, along a stream that empties into the Guadalquivir river, near the said pueblo of Medina de la Torre, there was found a valley which was called Atotonilco, in which four pueblos were found.<sup>90</sup> The first was named Guatitlan. It contained seventy-six houses of two, three and four stories. The second was called La Guarda. It had one hundred houses of three and four stories. The third was named Valladolid. It had two hundred houses of three and four stories. In this pueblo possession was taken for his majesty on the sixth day of the said month and year. The fourth town, which contains sixty houses three and four stories high, was named La Rinconada, because it is in a turn of the valley.

On up this Guadalquivir river, above Medina de la Torre, another pueblo was found on the river bank which had forty houses of two stories. It was named Castilleja.<sup>91</sup>

Likewise, up the said river another pueblo was discovered which had two hundred houses three and four stories high. It was named Castildabid.<sup>92</sup>

Further, up the said river there was found another pueblo that had ninety houses of two and three stories. It was named Suchipila.

Above the pueblo of Suchipila there was found another pueblo of eighty houses three and four stories high. It was named Talavan.<sup>93</sup>

Likewise, up the said river, along a large stream apart from the river on the northern side, there was discovered another pueblo which had five hundred houses from one to seven stories high. It was called La Nueva Tlascala.<sup>94</sup> It was taken in the name of his majesty. At this pueblo they said that farther on were other pue-

88. The probable location was near Cubero. *Ibid.*

89. Identical with Cochiti. *Ibid.*, 279.

90. The party had turned up the Santa Fé river.

91. Dr. Mecham mistakenly says that Gallegos gave this pueblo no name. It was perhaps San Ildefonso. *Ibid.*, 281.

92. It was on the present site of San Juan, opposite the mouth of the Chama river. *Ibid.*

93. Suchipila and Talavan were north of Castildabid. Mecham thinks one of them was Picuries, but Mr. L. B. Bloom of the New Mexico Historical Society disagrees on the ground that it was too far from the river. *Ibid.*

94. This was evidently Taos.

blos, which they indicated by signs to be very large.<sup>95</sup> They were not visited due to lack of time.

Likewise, there was discovered a stream carrying much water which flows into the Guadalquivir river from the south.<sup>96</sup> This said stream forms a valley which, as it was so good and luxuriant, was named Valle Visiosa. In it three pueblos were discovered. The first is close to the said river, opposite the pueblo of Castildabid. It has two hundred houses three and four stories high. It was named Castilblanco.<sup>97</sup>

Further, the second pueblo had two hundred houses of three and four stories. It was named Buena Vista.

Likewise, the third pueblo had sixty houses three stories high. It was named La Barranca.<sup>98</sup> At this pueblo of La Barranca information was obtained to the effect that in this valley, at a distance of three days up the river, there were thirteen pueblos. The natives indicated that they were located toward the south. These pueblos were not visited because the discoverers were very few, and because the supplies we carried had given out.

Further, another valley was discovered five leagues from the said Guadalquivir river. This was named Valle de San Mattheo.<sup>99</sup>

95. Perhaps the Spaniards misunderstood the Indians. At least they had reached the greatest of the pueblo establishments in Taos.

96. From the west. It was the Chama river.

97. This may be identified with Chamita, north of the Chama. The question as to whether there was a pueblo south of the Chama near the Rio Grande has aroused much discussion. The celebrated Martínez map shows that San Gabriel, Oñate's capital, was south of the Chama, while another pueblo, Chama, was on the north side. The New Mexico historians, Twitchell, Bloom and others, insist that the map must be in error as no archaeological sites have ever been identified south of the confluence of the Chama and the Rio Grande. They hold that both were north of the Chama, the map being too small to locate them in their proper places. Mechem evidently assumes, though he does not say so, that Gallegos substantiates this view, as he places Buena Vista and La Barranca, the other pueblos visited, higher up the Chama. Perhaps he is right. We know that ruins have been found above Chamita. And there is nothing in the report of Gallegos to show that they might have been elsewhere. Captain Espinosa, in describing San Gabriel in 1601, gives an equally tantalising account. He says there was a pueblo right across the Rio Grande from San Gabriel, (which was San Juan) and that is all he has to report. He does not indicate whether the capital was north or south of the Chama. Perhaps that would show that there were no other pueblos in the immediate vicinity. Such reasoning as this is however not conclusive in disproving the data given in the Martínez map. See Mechem, *op. cit.*, 282 and note 63; Bolton, *Spanish Exploration*, 212; testimony of Captain Marcelo Espinosa in the Valverde Inquiry.

98. Buena Vista and La Barranca were probably situated up the Chama river, above Castilblanco. Mechem, *op. cit.*, 282.

99. The Spaniards had now descended the Rio Grande to the Galisteo valley which they christened San Mateo. They were led in that direction by reports of the buffalo.

Four pueblos were discovered here, the first of which had three hundred houses five stories high. It was named Piedra Quita.<sup>100</sup> It was given this name because all of it is of rock.

The second pueblo had one hundred and forty houses four stories high. It was named Galisteo.<sup>101</sup>

The third pueblo had one hundred houses three stories high. It was named Malpartida.<sup>102</sup>

The fourth pueblo had eighty houses three stories high. It was named Malagón.<sup>103</sup> At this pueblo we were informed that on the slopes of the Sierra Morena were two large pueblos, which were not visited on account of incidents that prevented it.

**FAMOUS** Back of the Sierra Morena some salines were found which **SALINES** extended for five leagues. These are the best salines ever discovered by Christians. The salt resembles the salt of the sea. At these Salines five pueblos were found. The first had one hundred and twenty-five houses two stories high. It was named Zacatula.

The second had two hundred houses of two and three stories. It was named Ruiseco.

The third pueblo had ninety houses of three stories. It was named La Mesa.

The fourth pueblo had ninety-five houses two and three stories high. It was named La Hoya.

The fifth pueblo had sixty-five houses two and three stories high. It was named Franca Vila.<sup>104</sup> At this pueblo we were informed that away from the salines were three very large pueblos. According to their indications they seemed to be large cities.<sup>105</sup> They were not visited due to the heavy snowfall which the discoverers experienced at that time.

Likewise, from the pueblo of Caceres the soldier-explorers went to discover a valley of which the said leader and chief had been given great reports. This valley was said to be five leagues from the said river Guadalquivir. This valley [Pueblo] was named Puerto Frio. This pueblo is in a ravine close to a river of water that flows near this pueblo.

100. Piedra Ita (Quita) is identical with San Cristóbal, the easternmost pueblo in the Galisteo valley. *Ibid.*, 283. The manuscript reads Piedra hita, but the "hita" has been crossed out and "quita" written in above.

101. It was identical with the pueblo ruin of the same name. *Ibid.*

102. Malpartida, from which Father Santa María set out toward New Spain, was the same as San Marcos, four miles northeast of Cerrillos. *Ibid.*

103. Malagón agrees with San Lázaro in location. It is a small pueblo ruin twelve miles southwest of Lamy. *Ibid.*

104. Meham concludes that these pueblos were Tigua villages situated between Chilili and Manzano.

105. Probably Abó, Tenabó, and Tabirá. *Ibid.*, 288.

Likewise, in the Valle de Santiago another pueblo with one hundred houses two and three stories high was found. It was named Baños.<sup>106</sup> In this pueblo of Baños the discoverers were told that up that very valley were thirteen pueblos, which were not visited on account of the heavy snowfalls.

Further, the said lord chief and soldiers were informed that thirty-five leagues from the said river Guadalquivir were many pueblos and a mineral deposit. In view of this the said leader sent the said explorers and conquerors to visit and explore the land and to learn the truth. On leaving the said pueblo<sup>107</sup> in the direction the natives had mentioned, and after marching for two days along the said river toward the north<sup>108</sup> they found a pueblo which was on a strong position. According to the discoverers it is the best A VERY stronghold in existence among Christians. This pueblo LARGE has five hundred houses three and four stories high. FORTRESS It was called Acoma. At this pueblo information was sought as to whether there were more people farther on. The natives said that two days beyond that pueblo of Acoma toward the south<sup>109</sup> were many pueblos and also the mineral deposit which we were seeking. With this information the said explorers continued on their journey with an Indian as guide. After two days they came to a valley named Suñi in which they found and explored five pueblos.<sup>110</sup> The first had seventy-five three story houses. It was named Aquima.<sup>111</sup>

The second pueblo had one hundred houses four and five stories high. It is named Maça.<sup>112</sup>

The third pueblo is called Alonagua.<sup>113</sup> It had forty-four three and four story houses.

The fourth pueblo is named Aguico.<sup>114</sup> It had one hundred and twenty-five houses of two and three stories.

106. The Valle de Santiago was the Jemez valley. The pueblos of Puerto Frio and Baños were near the present Santa Ana and Sia. *Ibid.*, 285.

107. We are left to conjecture which pueblo is meant, but it may have been Puaray since it was here that the padres remained.

108. They were marching westward.

109. Toward the west.

110. There were actually six pueblos. Mr. F. W. Hodge in an excellent article on "The Six Cities of Cibola, 1581-1680," published in the *New Mexico Historical Review* for October, 1926, (Vol. I, 478-488) has fully unraveled the muddle regarding them. The problem has become worse with the publication of every new document, for in practically each instance the names have appeared in altered form.

111. Mr. Hodge finds Aquima to be Kiakima. *Ibid.*, 485.

112. Identical with Matsaki. *Ibid.*, 484.

113. The pueblo of Halona. *Ibid.*, 486.

114. Hawikuh. *Ibid.*, 480. ff.



The other pueblo, which is the fifth, had forty-four three and four story houses.<sup>115</sup>

Likewise, in this said valley they informed us that two days from there were five pueblos and a mineral deposit.<sup>116</sup> It was not visited because we had not brought the necessary provisions. This is the best valley that has been discovered, because all of it is cultivated and not a grain of corn is lost. The houses are all of stone, which is indeed surprising. All the houses in this settlement had their corridors, windows, doorways and wooden stairways by means of which they ascend to them. There is not a house of two or three stories that does not have eight rooms or more. This was what surprised us more than anything else. [We were also surprised] to see that the houses are plastered and painted inside and outside. The pueblos have their plazas and streets. They often make sleeping-mats of straw for their rooms on which they sleep. Some make them of fine, light palm.

Chapter XIV. Concerning how we turned back after seeing the land, the events of our return, and how the said friars remained in the said settlement.

After having seen everything in the land that could be seen or learned of, the said leader and the other soldiers decided to return to the land of Christians before any misfortune might befall them and before the natives should attempt to carry out their evil plan. Thus they took leave of the friars who had decided to remain at that settlement, in a pueblo called Puaray, which contains one hundred and twenty-four houses two and three stories high. However their stay was very much against our will, as the Indians had killed the said friar Juan de Santa Maria.

When the leader saw the determination of the said friars he required them once, twice and thrice, in the name of God and of his majesty, to leave and not to remain, for they would be in great danger and the land would revolt whenever any misfortune befall them; that at present they could not accomplish any good results, not till there were Spanish forces to compel the natives to do anything; and that they should go to their superiors to report concerning the land that they might send the necessary aid. The chief ordered that testimony of all this should be drawn up.<sup>117</sup> In view

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115. No name for this pueblo is given by Gallegos. In fact there were six pueblos, the additional names being found in a list appended to Gallegos' report. They are Coaqina and Acana.

116. The reference is doubtless to the Moqui pueblos in northeastern Arizona.

117. An affidavit was drawn up February 13, 1582, certifying to these facts in proper form. Translation in *Southwestern Historical Quarterly*, XXIX, 230-231.

of this and of what the leader and the said soldiers had spoken and suggested the said friars replied that they would remain, that no one could force them to abandon the good purpose they had of preaching the Holy Gospel, and that they would excommunicate them if they resorted to violence.

When the leader saw the reply of the religious he tried to leave the natives friendly, at peace with us and with the fathers, and to let them know how we intended to return to our land to call many Christians and to bring more women. They rejoiced greatly at this and promised they would look after them and would regale and support them; that inasmuch as we wanted to go back to our country we should go and bring back many Spaniards with their wives, because they wanted to see what they looked like and the way they dressed; and that when we came back they would have the fathers fat and well kept. Since the Indians had shown such good will toward the fathers for their stay and toward us for departing from them we left the said pueblo of Puaray. Some Indians were sad at our departure, but we were all especially affected at leaving one another, the friars as well as the soldiers. Consequently some of the soldiers were determined to stay, but for certain reasons pointed out by the leader no one dared to remain.

We left this pueblo and the friars on the last day of the month of January,<sup>118</sup> determined to return quickly to Christian territory to bring help for the conversion of those natives. We went down the same river by which we had come. On leaving the said pueblo of Puaray and having gone twenty leagues from the said province, six settlements and mineral deposits were discovered.<sup>119</sup> These are in a very fine place with abundant water and timber. [They had] very good veins, rich in contents, and many enclosures which, in the opinion of all of our men, were and are very good, for nearly all were miners who knew about mines, veins and meals.

After our leader and magistrate of the said expedition had seen, taken possession of, and recorded these discoveries we were informed of six or seven other discoveries, but due to lack of iron for horse-shoes, which had been exhausted, we did not go to discover them. Moreover we wanted to keep the promise which we had given to both the friars and the native Indians that our departure would be brief.

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118. 1582.

119. Mr. Mecham locates this discovery in the San Mateo mountains, though the distance from Puaray is much greater than the 20 leagues which Gallegos mentions. For that reason the location should undoubtedly be farther north, perhaps in the mountains in the region of the Salado river. Both of these views are based on the supposition that the party was on the west side of the Rio Grande. Cf. note 67.

This and other causes prevented us from going to locate those mining discoveries. Nevertheless according to the signs and indications given us by the natives and from what they said they must be near that place. And, God willing, we shall locate them when the land is settled. Furthermore, there are so many mines that it is indeed marvelous.

When the said leader and the soldiers saw so many mineral deposits and materials in the land to facilitate its settlement they decided, in order that the natives of that land should become Christians, to go with more zeal and to report on the land so that a decision might promptly be reached to send the necessary aid for the protection of the fathers who had remained there and for the preaching of the Holy Gospel in order that so many idolatrous souls should not be lost, but on the contrary be brought to the true knowledge before they, as idolatrous Indians, should attempt some evil deed to kill the fathers and hinder the penetration of the land.

Chapter XV. Concerning the events we experienced on our departure after having found the said discovery of mines, and the illness that befell our leader, on account of which it was necessary to halt on the way.

After the afore-mentioned had transpired we continued marching down the said river for over eighty leagues. God willed that our leader should be afflicted with an ailment which he had formerly had. He was ill on leaving the said settlement but became much worse due to traveling. On account of this it was necessary to stop at a place which we named Canutillo. We stayed four days at this place to see whether our leader felt any relief in order to proceed with our trip. We left that place, although the illness of our leader grew very much more serious due to the fatigue of the march. Since it was due to exhaustion from the trip it was decided to bleed him. As the equipment which had been brought, the lancet as well as the syringe, had been left with the fathers it was done as soldiers do in time of need when they draw blood with a horseshoe nail and apply the medicines by means of a horn. These two things were used on our leader and the soldiers who were ill.

Indeed we experienced much suffering, for with three or four men sick, out of eight soldiers, — nine with our leader — we had to watch every night and wear armor. Much hardship was endured, so much so that the illness of our leader became aggravated. As he was a man of over sixty or seventy years the ailment took firmer hold on him than on the others who were not so old. It was necessary to stop four days more at another place, which we named De

los Patos, to see whether he would grow better and the illness decline. Since it became no better, but on the contrary took firmer hold on him we urged him to commend himself to God and to make his last will before Hernán Gallegos, who was the notary of the expedition. He did as advised. Since the affliction was becoming so serious that his hands and feet were paralyzed, we decided to build a litter so that by means of two horses he could be taken quickly to the land of the Christians where the holy sacraments could be administered to him, which was of greatest concern. As we had no tools, because all had been left with the fathers that they might cut the timbers, we had to cut the lumber, consisting of timbers and poles for the said litter, with our swords. It was done as well as possible. However, to fasten the said litter it was necessary to kill a horse, because the hides which had been brought from the cattle were not sufficient for the litter. It was reinforced in the best manner possible. When it was finished the said leader was placed in it.

With this device we marched with great difficulty, for the horses were not used to that sort of work. They fell at times, which grieved us considerably. So if we had endured much suffering on our coming we were having much more hardship on our departure. We gave many thanks to God for such hardships that came to us through His will, for since He was giving them to us He also endowed us with patience and forbearance to withstand them. These hardships were experienced due to our small number, because out of nine men three or four were ill and indisposed. Furthermore, we had to keep vigil every night as we had done up to that time. Moreover, the Indian servants that we had taken along had remained at the settlement with the fathers.

After having traveled most of the way and the most difficult part God willed that when we were now out of the land near the land of the Christians, thirty leagues from Santa Bárbara, the said leader should die. He was buried in the most manner possible in a designated place, on a route and place that had to be crossed to go to the said settlement, so that when the occasion arrived his remains might be taken to the land of the Christians. God only knows the depression, grief and pity that we all experienced to see him die in such a remote and desolate land, without spiritual or temporal comfort. But as these are things willed and directed by the hand of God our Lord we gave many thanks to Him because He had been pleased to call away from us the leader who had been in our company for one year, who had traveled so much in our party and who at the least expected moment left us disconsolate.

Chapter XVI . Concerning the reception given to us at Santa Bárbola, what transpired between its inhabitants and ourselves and how they tried to arrest us because we did not take possession for the *gobernación* of Francisco and Diego de Ibarra.

After burying our said leader we decided to reach Christian territory without delay. Proceeding on our march we came to Santa Bárbola, from which we had set out on this expedition, on the fifteenth of April, a noted day as is was Easter day. We were well received at this town, as our return was much desired, for they thought we were dead. We fired our salvo for the said town with our harquebuses. After firing the salvo the *escribano real* who was present gave us, at the petition of Hernán Gallegos, testimony of the day, month and year on which we reached the said mines and town of Santa Bárbola, [stating] that we were armed and our horses also, and that we were returning from serving God and the king at our cost and support.

After giving this certificate the settlers and authorities of Santa Bárbola, seeing that the discovery had been carried out by commission from New Spain, decided to give orders to have us arrested and to seize the documents concerning the expedition that were brought by Hernán Gallegos and have [the new land] taken for the *gobernación* of Diego de Ibarra that he might learn of the said discovery. Hernán Gallegos, *escribano* of the said expedition, saw that it was not proper to do such a thing but on the contrary to report to the viceroy of New Spain by whose commission the said land and people had been penetrated and discovered, and to give him an account of this discovery, as loyal vassals of his majesty. When the said Hernán Gallegos noticed that the people and authorities of Santa Bárbola had planned very carefully to take the documents from him, and when the captain of Santa Bárbola saw our determination and that of the discoverers he ordered the said Hernán Gallegos, as the *escribano* of the said expedition, to write the said accounts before him, stating where the said explorers and leader had entered to discover and what had been discovered, accomplished and examined on that expedition. Hernán Gallegos replied to this that in regard to the discovery he did not even have authority to ask him for a report concerning the said trip; that they had entered and explored by commission from New Spain; that if they had done wrong and they did not show them in what manner they would be punished by his excellency the viceroy of New Spain to whom we would all submit as was our duty; and that he questioned his authority to command the aforesaid.

In spite of all this the said captain ordered the said Hernán Gallegos to write the report under threat of punishment. To get away from the said captain and magistrate Hernán Gallegos answered that he would bring them to him. Then during the early morning of the next day, the day following Easter, we left the jurisdiction of Santa Bárbola, on our way to Mexico to report on the said discovery to his excellency. We were three companions, Pedro de Bustamente, Hernán Gallegos and Pedro Sánchez de Chaves. [We took along] all the documents concerning the said expedition. [It was decided] that the other comrades should remain at the said town of Santa Bárbola to defend the entrance of the land we had discovered. Wherefore we came to report to his excellency by whose commission possession had been taken of that land, in order that his excellency might provide the proper relief and authority, and might also command that until other provisions were made by his excellency, no captain or magistrate of any place whatsoever might enter the land except by his authority. This was done at once and royal decrees were dispatched in due form to the *gobernaciones* of Francisco and Diego de Ibarra, Carvajal and the others.

Upon their departure the three above-mentioned companions reached the valley of San Juan, eleven leagues from the mines of Sombrerete, at the quarters of the general of Zacatecas, Rodrigo del Rio de Lossa. Here it was necessary for one of the companions, Pedro Sánchez de Chaves, to go back with certain reports to the mines of Santa Bárbola where the said companions had remained. Then the other two, Pedro de Bustamente and Hernán Gallegos, took leave of him and left for Mexico city where they intended to arrive and report to his excellency concerning the said discovery.

Proceeding onward they arrived in Mexico city on the eighth day of the month of May in the year fifteen hundred and eighty-two. They appeared before his excellency to give him an account of the said expedition and to explain how and what had been done. They brought and placed before him samples of what there was in the land, such as clothing, meat of the cattle, salt from the salines, metals from the mines which had been discovered and which exist in the land. Some of them assayed at twenty *marcos* per hundred weight of ore. We presented also the *chicubites* in which they eat and the crockery which they make at the said settlement, which is like that of New Spain. We were well received. We brought great joy and happiness to this city of Mexico, and especially to his excellency the viceroy of New Spain for having carried out in such a short time and during his administration an enterprise like the present one in which his majesty and his vassals have spent quantities of

money in search of this discovery, but without success. Now nine men had dared to go among such a large number of people in the inhabited area and to penetrate the uninhabited land and to have discovered what they had. This was the report they gave. Where five hundred men had failed to discover or explore the eight men had succeeded at their own cost and expense, without receiving any support or help from his majesty or any other person.<sup>120</sup> This brought great relief and enthusiasm to many people in New Spain.

Hernán Gallegos, one of the explorers and the *escribano* of the expedition and discovery, decided to write this relation with the chapters and explanations here contained. He wrote it and had it copied on the eighth day of the month of July in the year of our Lord fifteen hundred and eighty-two.

The above relation was copied, corrected and compared with the one found in the said book from folio thirty-one to seventy-eight at the instance of Señor Doctor Quesada, fiscal of his majesty in his royal audiencia and chancellery in this city of Mexico, on the twelfth day of the month of May in the year sixteen hundred and two. In certification of which I attach my signature so that it may have the legal power desired. Its correction was witnessed by Lorenzo de Burgos and Juan Martínez de Aranda, residents of this City.

Signed,

JOAN DE ARANDA.

(There is a rubric)

120. These references to a numerous and expensive expedition are to the Coronado entrada of 1540.

## THE FIRST IRRIGATION LAWSUIT

In the valley of the Nile, of the Euphrates and of other ancient streams where irrigation was practiced for thousands of years before the Christian era, there were undoubtedly disputes over the use of the water. Whether the quarrels led to killings as in the Western States of North America, whether codes were enacted for filing on waters and courts were invoked to interpret them, is however, a matter for speculation. At least I am not aware that any record of such cases has come down the ages. And when I speak of the first irrigation case I mean the first case involving ancient watterights that was brought to the attention of a court in territory of the United States.

When the common law followed the American arms into that vast section of the continent that was ceded to the United States by the treaty of Guadalupe Hidalgo in 1848 it encountered two divisions of the civil law of Mexico which did not yield to its superior force. These two divisions of law were the Community Property Law and the conception of Watterights by Appropriation, as opposed to the English system of Tenure by the Entirety and Riparian Rights in Water. Because of the nature of the country, its lack of rainfall, the necessity of conducting water from streams considerable distances in order to irrigate farm lands and thus raise the necessities of life in the way of food, the invaders were quick to recognize the necessity of retaining this law of water appropriation, and so it was retained, in its native purity in some states and modified into a hybrid in others. Presently long and learned discourses were gathered into treatises or textbooks explaining its origin, its uses and its genius. To-day it has been elaborated by many decisions, even those of the highest tribunal of the land.

A search of the decisions of the Supreme Court of



California discloses the fact that the first cases involving waters had to do with water for mining purposes. The first case involving disputes over waters for irrigation appears to have been *Crandall vs Woods* 8 Cal. 136 which was decided in 1857. That fact that this case does not quote a single other decision involving irrigation would indicate that there were none. No other Western States were organized prior to 1855, and it was in this year that the great litigation between the Indian Pueblo of Ácoma and the Indian Pueblo of Laguna in the Territory of New Mexico was commenced as cause No. 1 on the civil docket of the District Court of the Territory of New Mexico for the Third Judicial District within the County of Valencia. The musty documents in the office of W. D. Newcomb, the present clerk of the court, disclose that the suit was hard fought, that every trick of the trade was put in use and that not until 1857 was a settlement reached which disposed of the dispute by an agreement between the parties.

It appears from the files that the water-right in dispute was centuries old, and had been a matter of bitter feeling between the two pueblos for two hundred years or more. The few lawyers that were then practicing in the wake of the victorious armies were venturesome barristers and occupied the very outposts of the common law, its practice and procedure. In the rigid formalities of that system they had been trained and it is therefore interesting to note the skill with which they adapted these forms to the enforcement of a right not known to the common law system.

The "solicitor" for the plaintiff was Spruce M. Baird, who was later to be one of the attorney generals of the territory and who defended Major Weightman after his famous duel with Francis Aubrey. At that time the presiding judge of the district was Kirby Benedict, one of the most picturesque judges who ever sat on the bench in the United States and whose opinions, which are to be found in the New Mexico reports, are truly gems of brilliancy. His famous death sentence on José María Martín has been

often published.' Mr. Baird's pleading was entitled "Bill to Quiet Title etc.," a remedy used for the purpose of determining title to land but well adapted to the purpose in hand; and since then water rights have been held to be a specie of real estate.

Here are the important features of the bill:  
(interlineations, insertions and erasures as in the original)  
"The petition of the Pueblo of Ácoma by their governor José Lovato complaining of the Pueblo of Laguna showeth, that upwards of two hundred years past the Pueblo of Siam (alias Sia)<sup>2</sup> was established by the kingdom of Spain on the creek or stream known as the Galla, being the same which runs from the Ojo del Galla by the ruins of the said Pueblo, the Pueblo of Laguna (after passing which taking the name of the Rita) and enters the Rio Puerco in front of the Pueblo of Isleta. The boundaries of the said Pueblo of Sia were designated as set forth in Exhibit "A" known as follows to wit, as in Exhibit "A", and complainant asserts that the Pueblo of Ácoma and its inhabitants are the successors and descendants of the Pueblo of Sia and have succeeded to and inherited all and singular the rights of property which formerly pertained to the Ancient Pueblo of Sia.

The said Pueblo of Sia as your petitioner is advised and believes was located on the said stream with a view to the use and enjoyment of the water of the same as far as they should need it: But afterwards, but at what precise time your petitioner is unable to state, the Pueblo of Laguna was established immediately below and adjoining the more ancient Pueblo of Sia on the same stream with a view to the enjoyment and use of the surplus water of the said stream after the wants and necessities of the Pueblo of Sia should be supplied.

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1. *Old Santa Fe*, I, 83.

2. Seama (Tsiama) is today one of the villages of the Laguna Indians. In the record of this suit it appears to be confused with the old pueblo of Cia (Zia, Tsia) lying northeast on the Jemez River—Ed.

But so it is, may it please your Honor, as your petitioner is advised and believes, the said Pueblo of Laguna disregarding the superior claim of your petitioner to said waters and fraudulently intending to cheat and defraud the said Pueblo of Sia of the use of the water which had been granted to her commenced setting up various fictitious and fraudulent claims to the said water and the lands of the Pueblo of Sia. sometimes pretending that they were equally entitled to the water of said stream, and at other times that they were exclusively entitled to the same, and thus continued to harrass and annoy the people of Sia until, the former growing in strength while the latter was stationary by reason of the prejudice and damage done them by the former, they made war upon the Ancient Pueblo of Sia, the ruins of which still remain, and forced the people thereof to remove from the same to a more secure position and establish the present Pueblo of Ácoma, remote from any running water on a barren rock, some three or four hundred feet high, inaccessible but at two points for footmen and at but one for horsemen and at no point for wheeled carriages. And in consequence of the original and continued harrassments—destroying and confounding the ancient landmarks between the two pueblos—appropriating the same to their own use and to break and destroy the tanks and ditches of your petitioners especially in the season of irrigation and to inflict upon them—damages—such as can not be recompensed—Wherefore the premises being considered in as much as your petitioner is without remedy at law and for the purpose of forever settling all questions between themselves and the Pueblo of Laguna touching the boundaries of their lands and the water of said stream as well as to avoid the multiplicity of suits that must necessarily grow out of said questions if not settled in a court of chancery—” here followed the commensurate prayer for an injunction.

In order to impress the court with the fact that the multiplicity of suits was real and not imaginary, the resourceful lawyer at once started thirteen separate suits in trespass against members of the Laguna tribe and against

the Rev. Samuel Gorman who was the Baptist minister of the Laguna mission. Gorman had played a prominent part in the negotiations which preceded this suit both before the Indian Agency at Santa Fé and Governor Meriwether of the Territory. These negotiations led to a temporary truce during the summer of 1854, but with the approach of the irrigating season of 1855 the trouble broke out anew.

I. S. Watts was the solicitor for the defendant and he filed a lengthy answer in which he set up for the Pueblo of Laguna an earlier title to the water from the same source but three days earlier in time, and plead non-user and abandonment of its water-rights, a doctrine since become firmly established in Irrigation Law. He disputed the allegation that Laguna had made war on Sia and asserted that in 1689 the people of Laguna had numbered only eight families and could not have made war on the "strong and powerful" people of Ácoma, who, he suggested had gone to the inaccessible rock not for safety but for the purpose of using it, in the manner of the robber barons, as a stronghold from which to send expeditions for the oppression of other tribes and to levy tribute upon them. The defendant's pleader was a bit inconsistent in his argument, and after asserting an independent and prior right he alleged that by reason of the abandonment by Ácoma and the user by Laguna the latter had secured a right "in common with" the Ácoma people.

The case came to trial the 10th day of June, 1857, after evidence had been taken by a commission appointed for that purpose. This evidence consisted of oral statements by witnesses as to what their grandfathers and great-grandfathers had told them. The case of both Ácoma and Laguna rested mainly on ancient documents dated "At the town of our Lady of Guadalupe of El Paso of the Rio del Norte" which were in the nature of a deposition to perpetuate testimony. In these documents an Indian named Bartolomé de Ojedas, who could read and write, and who had been wounded, and taken prisoner and who was about to die, declared that he had been in charge of the waters

of the Indians at Ácoma, that he was a resident of Sia and knew all about the water rights between the two Pueblos. The first of these documents is dated February 20th, 1689, and the second one February 28th, of the same year. Both were written down and certified to by the Governor and Captain-General of the Province of New Mexico Don Domingo Jironza Petroz de Cruzate in presence of Don Pedro Ladrande de Guimara, Secretary of Government and War, and the signature of the Indian was duly signed thereto. The depositions are in the handwriting of the secretary and leave no doubt that the water belonged to Ácoma and that Laguna was entitled only to the "sobres" or surplus. At the time this old testimony was taken down before Governor Cruzate the latter had just returned from a punitive expedition to Sia Pueblo<sup>3</sup> where he had made an example of the natives for the benefit of the other Pueblos. Evidently while on this expedition the two quarrelling pueblos of Laguna and Ácoma had taken their troubles to him and thus it came that he examined this witness to find out "how it stood between the Pueblos of Ácoma and Laguna regarding the water of the Gallo."

The lawsuit came to an end on July 6th, 1857, when the attorneys for both sides entered and filed in the court a memorandum which determined the controversy in favor of Ácoma because it awarded to Ácoma all the irrigable lands down to the Cañada de La Cruz, on the Gallo or Cock Creek, thus preventing the use of its waters by the Lagunas except as to the surplus waters which might run below that point.

But the settlement appears now to have been forgotten and the age-old controversy was again going on in the year 1917 when the undersigned was United States Attorney for the Pueblo Indians and used to sympathise with the more progressive Lagunas, not at that time knowing or being informed of what the old court records in Valencia County might and did contain.

EDWARD D. TITTMANN

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3. This was the pueblo on the Jemez River.—Ed.

## THE DEATH OF JACQUES D'EGLISE

A paper recently published under the title "Jacques D'Eglise on the Upper Missouri, 1791-1795" is of greater interest because of the picture it gives of the development of French trade in that vast frontier region than because of the discovery by D'Eglise of the Mandan tribe. About the year 1750 there were nine villages of these Indians living near the mouth of the Heart River, but long before D'Eglise first visited them they had been greatly reduced in number by smallpox and by attacks of the Assiniboin and the Dakota. In 1776 the survivors had moved up the Missouri River and were living in only two villages near the mouth of the Knife River in the Arikara country." The report by D'Eglise, after his journey in the fall of 1790, that he had found eight Mandan villages would seem, therefore, to have been an exaggeration intended to impress the Spanish officials in St. Louis and New Orleans.

More intriguing than this reaching out for the trade of a frontier tribe is the fact brought out by Mr. Nasatir that the Spanish authorities in the Mississippi valley, some ten years before the Lewis and Clark Expedition, had their eyes on the Pacific and that Carondelet in 1795 or shortly before had offered a prize of three thousand dollars to the first man who should succeed in reaching the Pacific by way of the Missouri River."

Spanish claims to the regions north and east of New Mexico, based on discovery, exploration, and trade and treaty relations between the Spaniards of New Mexico and the various plains tribes conflicted with similar French claims from the east—until after 1763 when, by the "Family Compact," Louisiana was ceded to Spain. From 1763 to

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1. By Abraham P. Nasatir in *Mississippi Valley Historical Review*, xiv, 47-56.
  2. Hodge, *Handbook of American Indians*, "Mandans."
  3. See documents given by Nasatir, *Miss. Val. Hist. Rev.*, xiv, 57-71.

1801, when Louisiana was retroceded by Spain to France, the whole country from the Mississippi River to the Pacific was Spanish and (except with England on the north) there was no boundary question other than those between Louisiana, Texas, New Mexico and California as Spanish Provinces. Of course with the sale of Louisiana by France to the United States in 1803 national boundaries in this region immediately became vital again.

The activities of the Frenchman Jacques D'Eglise as presented by Mr. Nasatir fall almost wholly within the Spanish period, 1763-1801. Beyond 1795, the author says, "Nothing further has come to light concerning Jacques D'Eglise, and we do not know whether the journey [to the Pacific] was ever made by him. It is known, however, that he subsequently engaged in trade on the Upper Missouri, and in company with Lorenzo Deroche ascended the Missouri, probably in 1804, with the idea of finding the shortest route to New Mexico. Casa Calvo, who gives us this information, also states: 'The latter [D'Eglise] was employed by the company of the Exploration of the Misury, and since he has not returned this year it is inferred that he has penetrated into Nuevo Mexico.'

"We know as little of D'Eglise's later life as of his early career. 'Without documents there is no history.' Hence our story of the 'Discovery of the Mandan' must pause here until further search of the Spanish and other archives shall shed more light upon the subject."

The Spanish archives in Santa Fe show that the inference of Casa Calvo was correct.

"Lorenzo Durocher" was in Santa Fe early in 1805, as appears from the blotter of a communication dated May 22 of that year from Governor Alencaster to the commandant general in Chihuahua.<sup>4</sup> Durocher, or Deroche, desired to return to his own country and Alencaster asked for explicit authority to incur the expenses of sending him to Chihuahua, of his subsistence in that city and of send-

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4. *Spanish Archives of New Mexico*, no. 1834(2). Document no. 1, *infra*

ing him home from there with an adequate escort and horses. A notation on the blotter indicates that there had been earlier correspondence on the same subject. The reply of Salcedo, dated June 5, is not in the archives, but Durocher was enabled to present himself to Salcedo in Chihuahua about two months later, in company with Juan Bautista Lalande,<sup>5</sup> another Frenchman from "Ylinois." Apparently their first request through Alencaster was that they be allowed to return home by way of Texas, but when they presented themselves before Salcedo in Chihuahua they were asking (possibly as a matter of policy) that they be allowed "to continue subjects of the Spanish government" with residence in New Mexico.<sup>7</sup> When Salcedo sent them back to Santa Fe in September he expressed approval of their request and covered their expenses in a consignment of effects which were to be used in binding the friendship of "the Indian Nations inhabiting the banks of the Missouri River from its confluence with the Chato westwards."<sup>8</sup>

In October, following their return, Durocher and Lalande accompanied the "Indian interpreters" Pedro Vial and Josef Jarvet,<sup>9</sup> upon a journey which the latter undertook to visit the Pawnees. Vial and Jarvet, and a carbineer who was in the party, reported to Governor Alencaster that Durocher and Lalande, especially the former, had repeatedly made invidious comparisons between the Spanish and American governments in the matter of monthly pay

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5. Jean Baptiste Lalande, or Juan Bautista Lalande as the Spaniards called him, was a creole trader who was sent out in 1805 by William Morrison of Kaskaskia, under instructions to carry his goods to Santa Fe and attempt to establish commercial relations. Lalande has been pilloried in history by Pike and Bancroft as an absconder ( *Bancroft's Works*, xvii, 291-5), whereas the truth seems to be that the Spanish authorities knew he wanted to return to his own country but they prevented his doing so. See document no. 4, *infra*.

6. Upper Louisiana, later Missouri, at this time was still known as "Spanish Illinois;" and St. Louis was "San Luis de lo Illinueces."

7. *Sp. Archs of N. M.*, no. 1888. Document no. 2, *infra*.

8. *Ibid.*, no. 1889. Document no. 3, *infra*.

9. Vial and Jarvet were both Frenchmen, not naturalized though in Spanish employ at Santa Fe. Both appear frequently in the archives, the latter often misspelled as *Chalvet*, *Chalvert*, and even *Calvert*. Vial did important work in exploring routes to San Antonio, Bejar, Natchitoches, and St. Louis.



and expense allowance to interpreters. Writing to Salcedo on January 4, 1806, Alencaster again reported that the two Frenchmen, as well as "two other Frenchmen" and an American who had entered New Mexico some time before with two Cuampes chiefs," desired an opportunity to return to their own country but that he would not allow it, in view of the above conduct and the possible injury which might result from the knowledge which they had acquired of the Province, without an express order to this effect from Salcedo."

Whether Durocher separated from Jacques D'Eglise on the upper Missouri late in 1804 or they entered New Mexico together and then separated, is not clear from the archives now extant in Santa Fe. Durocher apparently was acting independently in the "memorial" submitted to Alencaster early in 1805; on the journey to Chihuahua he was thrown with Lalande and they two stayed together at least until late in that year. At no time in the present records does D'Eglise appear until late in 1806."

On November 20, 1806, Alencaster forwarded to the royal audiencia in Guadalajara "the criminal suit drawn up against Antonio Carabajal and Mariano Venavides by the *alcalde ordinario* of the Villa de la Cañada in this Province of New Mexico for having assassinated as they had conspired (to do) the Frenchman Santiago Iglis." The crime would be found so fully proven in the papers sent and it had been so horrible that it would be most useful in the Province that the punishment be prompt and exemplary, as this would necessarily make a profound impression on the minds of the other inhabitants who were unaccustomed

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10. The Cuampes were a division of the Faraon Apaches; their range probably was between the Rio Grande and the Pecos River, southeast of Santa Fe.

11. *Sp. Archs. of N. M.*, no. 1942 (1). Document no. 4, *infra*. On August 16, 1806, Durocher had a passport from Santa Fe to Chihuahua; and on August 31 he was at El Paso with "the Anglo-American carpenter, Dimas Proseel" (James Pursley), both *en route* to that city. These are the last references to Durocher.

12. He was not either of "the two other Frenchmen" mentioned in document no. 4. These are nowhere named, but they are identified with references in archives subsequent to the death of D'Eglise.

to seeing capital punishment inflicted. The suit was not being forwarded to Durango or elsewhere since experience had shown that it would never be returned with the judgment asked for.<sup>13</sup>

The wording of Alencaster's communication would suggest that the murder of D'Eglise had occurred only shortly before, but the exact date and the details of the crime are not shown. And despite the urgency of Alencaster's representations, nearly three years passed before punishment was meted out to the criminals. On July 23, 1809, Governor Alencaster advised the Rev. Father Fray José Benito Pereyro that the *alcalde mayor* of Cañada<sup>14</sup> had been directed to execute the sentence of death passed by "the Most Powerful Supreme Tribunal of the Royal Audiencia of Guadalajara" upon the criminals Antonio Carabajal and Mariano Venavides for the perfidious murder perpetrated on the person of the "Frenchman transient in this Province, Santiago Iglis;" and as it was necessary to inform the said criminals of the said sentence on the 27th so that from that day they might "begin to prepare themselves to suffer death in a Christian manner with the most pious and proper object of directing their souls to Heaven, as the Laws and our Holy and Catholic Religion provide," he requested the custodio to have whatever number of the Religious he thought fitting, come to Santa Fe to aid and assist the chaplain Fray Francisco de Hocio in so important a matter until its conclusion, in which act he, the custodio, would be accrediting his characteristic religiousness and the zeal so appropriate to his office.<sup>15</sup>

The *alcalde* performed the task assigned to him, going to the jail in which the criminals were confined and, in the presence of two witnesses, informing them of the sentence of the tribunal. They expressed their submission and in token thereof each laid the official paper upon his

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13. *Sp. Archs. of N. M.*, no. 2029 (3). Document no. 5, *infra*.

14. La Villa Nueva de la Cañada de Santa Cruz; known today as Santa Cruz, 24 miles north of Santa Fe.

15. *Sp. Archs. of N. M.*, no. 2238.

head. They were then turned over to the spiritual ministrations of four Religious.<sup>16</sup>

How much time was allowed them to prepare their souls for death is not clear, but on August 4th the alcalde, with the same two witnesses, signed his formal report that at 7:45 o'clock of the day designated he had had them shot and their bodies hanged on the royal road, as required and for the length of time he deemed fitting to make them an example, after which they were delivered for ecclesiastical burial.<sup>17</sup> Alencaster reported the execution to Salcedo, and the latter made brief acknowledgement on September 23, 1809.<sup>18</sup>

Very possibly the archives at Chihuahua and Guadalajara would supply answers regarding many details in the last two years of the life of Jacques D'Eglise, but the evidence is conclusive that he did enter New Mexico and that he suffered a violent death within a few miles of Santa Fe. At least a dozen other French adventurers entered New Mexico during these five years<sup>19</sup> and to the Spanish authorities D'Eglise was only a transient French fur-trader, also his earlier record suggests that he may not have been entirely innocent of provocation to the crime; but if so, the punishment of his murderers was all the more creditable to Spanish law and order in New Mexico.

LANSING B. BLOOM

#### NO. 1: ALENCASTER TO SALCEDO, MAY 22, 1805.

Reply to no. 7 [Alencaster's notation]

I send you the accompanying Memorial of Lorenzo Durocher who, as I have made him understand, must ask you ultimately

16. *Ibid.*, no 2242. Document no. 6, *infra*.

17. *Ibid.* Document no. 7, *infra*.

18. *Ibid.*, no. 2254 (2). Document no. 8, *infra*.

19. From 1805 to 1809, besides Durocher and Lalande, these included Juan Bautista la Casa, Dionicio Lacroix and Andres Ferieu from Louisiana; Andres Sulier and Enrique Visonot from St. Louis; Santiago Claimorgan "and three others;" and the "two other Frenchmen" from Louisiana.

(*categoricamente*) for the money which he needs in order to go to Chihuahua, to subsist in that city and to proceed to his own Country with adequate escort, I have not been able to procure (it) I explained to him, (after) assuring him that for his journey to present himself before Your Honor he would be furnished Escort and Horses. I see myself under the necessity of directing to you the accompanying Memorial that you may determine what may suit your pleasure.

God (etc.) Santa Fee 22 May 1805

(to) the Commandant General  
of the Internal Provinces.

(forwarding memorial of French-  
man Lorenzo Durocher)

(answered June 5 with  
secret order)

#### NO. 2: SALCEDO TO ALENCASTER, SEPTEMBER 9, 1805.

Bearing your paper no. 54 of August 9th ult., appeared in this city the citizens of Ylinois Juan Bautista Lalanda, and Lorenzo Durocher whom you sent hither in compliance with my orders so to do; and having listened to them regarding the reasons which brought them to that Province and the intentions which they have of establishing themselves there, I have instructed them to return and arrange with you in this matter, since, in conformity with the Royal decisions, I have authorized you to hear, consider, and decide all cases of like nature which may occur of inhabitants of said places in Ylinois who, without violating the constitution, may ask to continue subjects of the Spanish Government within the limits of that Province.

With this understanding they are both returning thither, and without questioning that the opinion may be well founded which you have formed regarding their honor and the truth of their statements and purposes I charge you to have them under observation, (and they have been) advised that for their journey I have ordered that the necessary aid be supplied them.

God guard you many years. Chihuahua, 9 September 1805.

Nemesio Salcedo

(rubic)

(to) the Governor of N. Mexico.

#### NO. 3: SALCEDO TO ALENCASTER, SEPTEMBER 12, 1805.

One of the directions which I have given you in the order of

the 9th of the current (month) in order to win and strengthen the friendship of the Indian Nations which inhabit the banks of the Misuri River from its confluence with the Chato westwards is that of trying to court the persons of those (nations) who may visit that Capital and even, if it may seem to you opportune, of sending to the Chiefs at their own places of abode a moderate gift; with which in mind and being aware that the amount which that Government may have of articles intended for gifts to the other bands may not suffice to cover this attention, I have resolved that the Sergeant of Militia Nicolas Ortiz shall transport and deliver to you the Effects which appear on the enclosed list (*Faciura*), to the total value of 460 *pesos* seven *reales* including the 50 *pesos* furnished the travelers Lorenzo Durocher and Juan Baptista Lalanda, it has been supplied by the treasury of this city, upon order from me to this end: all of which will serve for your gervice.

God guard you many years. Chihuahua 12 September 1805.

Nemesio Salcedo  
(rubric)

(to) the Governor of Nuevo Mexico.

#### No. 4: ALENCASTER TO SALCEDO, JANUARY 4, 1806.

Notwithstanding the good reports which I have given you regarding the good conduct of the Frenchmen Durocher and Lalanda, it seems to me proper to inform you of what has been reported to me by the Carbineer Juan Lucero, Don Pedro Vial and Josef Jarbet to have occurred on the journey to the Pawnees which they undertook in October.

Lucero says that he noticed repeated conversations between said Frenchmen and Don Pedro Vial, and understanding something (of their talk) he questioned Don Pedro repeatedly who explained to him that said Frenchmen were arguing that never could this Province make gratuities to the (Indian) Nations as (could) the Americans who had a greater supply of gifts, better, and that (the Indians) would always like the friendship of those (Americans) and would prefer them to us; and that Don Pedro maintained the opposite. That to Jarbet the said Frenchmen would say that the pay of ten pesos which they were giving him was very small; that the Americans were paying Interpreters 25 pesos a month, and that when they were traveling with the Nations or were coming with some Captains (chiefs) they were supplied with one peso a day, but that Jarbet always said that he preferred to be here with small pay to serve in Spain and that he was hoping they would reward

his merit by increasing his pay, but that always the Frenchmen were insisting on this kind of arguments especially Durocher, and as this did not look good to him he believed it proper to inform me of it.

In similar terms Vial and Jarbet explained themselves, telling me about said disputes and conversations stating to me that it had not looked well to them that, after having been well received and well treated in this Province, the said Durocher and Lalande should so express themselves.

These persons are desirous of a chance to return to their Country, and although Your Honor has approved it, it seems to me proper to call your attention to this point so that you may decide whether both they as well as the other two Frenchmen and the American who came in with the Cuampes shall be permitted to do so, since it occurs to me that some injury might be occasioned by them and the knowledge which they have acquired of this Province, and consequently even though an opportunity (for their return) present itself, I shall not allow them to depart without an express order from Your Honor.

God (etc.) Santa Fee 4 January 1806—J. R. A.—(to) Com.  
Gen'l of the Int. Provs.

(notation: treats of the departure of the French citizens  
of Louisiana from this Province.)

NO. 5: ALENCASTER TO THE AUDIENCIA OF GUADALAJARA,  
NOVEMBER 20, 1806.

I am sending to Your Audiencia the Criminal Suit prepared against Antonio Carabajal and Mariano Venavides by the *Alcalde ordinario* of the Villa de la Cañada in this Province of New Mexico for having assassinated as they had conspired (to do) the Frenchman Santiago Iglis, so that Your Audiencia may order the corresponding sentence of capital punishment to be affixed by the Counsellor whom you may select, or that Your Audiencia may decide what seems proper.

In it (the suit) the crime is found so fully proven and it is so horrible that it will be most useful in this Province that the punishment be prompt and exemplary, as this will necessarily impress the minds of the other inhabitants who are unaccustomed to seeing the infliction of capital punishment.

This Suit is not being directed to Durango or other point since abundant antecedents have shown that it would never be returned with the judgment asked for.

God guard Your Audiencia many years. Santa Fee, 20 November 1806.—J. R. A. —Señores of the Royal Audiencia of Guadalajara.

NO. 6: MANUEL GARCIA DE LA MORA, RETURN OF WRIT,  
(JULY 27, 1809?)

I, Don Manuel Garcia de la Mora, *alcalde mayor* of the Villa of Santa Cruz de la Cañada, went to the jail where the two said criminals are confined, Antonio Caravajal and Mariano Benavides, and they being present and with the attendance of two witnesses, I notified them and gave them to know the Sentence pronounced in the royal Writ which precedes, and they, being informed of it, said they would, and did, submit, each placing the (Writ) upon his head; and for evidence I have put it in a "return of writ" (*diligencia*.) and I delivered them to the Examination of four Religious, and I sign it with the said witnesses on said day month and year, of which I give faith.

Manuel Garcia  
(rubric)

Antonio Tugillo (Trujillo?)  
witness  
José de la Peña  
witness

NO. 7: MANUEL GARCIA DE LA MORA, SAME ARCHIVE,  
AUGUST 4, 1809.

Villa of Santa Fee, 4 August 1809.

I the said *Alcalde mayor* Don Manuel Garcia de la Mora, in fulfillment of what I am ordered in the Royal Writ committed to me by the Supreme tribunal of the Royal Audiencia of Guadalajara, had the said criminals Antonio Carabajal and Mariano Benavides shot (*hizo alcubuscar*), at seven and three-quarters of the day named, and I had their bodies hanged on the highway (*en el camino real*) as required of me, for the length of time which seemed to me fitting to make of them an Example, and afterwards I delivered them to Mercy, that they might be given ecclesiastical burial; and in evidence I have signed it with the two witnesses attending in the capacity conferred upon me of which I give faith.

Manuel Garcia  
(rubric)

Antonio Tugillo  
witness  
José de la Peña  
witness

NO. 8: SALCEDO TO ALENCASTER, SEPTEMBER 23, 1809.

ESTÁ bien lo praticado por V. M. en cumplimiento de Sentencia pronunciada por el Tribunal de Guadalajara á los Reos, Carabajal y Benavides, de que me da conocimiento con el numero 170.

DIOS guarde á V. M. muchos años. Chihuahua 23 de Setiembre 1809.

Nemesio Salcedo  
(rubricado)

Sr. Gov'or Ynt'o del Nuevo Mexico.



## SANTA FE IN THE '70S

[From Mr. John P. Clum, now over seventy-six years of age and residing on his orange grove in San Dimas, California, come the following reminiscences of Santa Fe in the '70s. His account of the opening of the U. S. Weather Bureau and of the first school conducted entirely in English are of especial interest. —Editors]

In the fall of 1871 I was due back at Rutgers College, Brunswick, New Jersey, for my sophomore year, but finding myself "financially embarrassed" I set about looking for a job. The War Department had decided to establish fifty stations within the territory of the United States for the purpose of taking and recording meteorological observations. This was the beginning of what is now the Weather Bureau. This work was assigned to the Signal Service arm of the department, and an order was issued for the enlistment of fifty men with the rank of sergeant, to be known as "Observer Sergeants." As far as I know this is the only body of men ever enlisted in our army as non-commissioned officers.

I applied at the office of the Chief Signal Officer at Washington, D. C. He informed me I should be endorsed by a congressman. I did not know any. However, I was examined and ordered to report to Fort Whipple (now Fort Myer) at Arlington, Va. The date of my enlistment was September 14, 1871, - just two weeks after my 20th birthday. Each observer sergeant was supposed to take a three months' course in meteorology, signaling, etc., at Fort Whipple. I made the grade in six weeks and was ordered to Santa Fe, N. M.

One Saturday about the 1st of November I was advised of my assignment and that I should be ready to leave for my destination the following Monday. I had never been further west than Fort Whipple. I knew that Santa Fe was the capital of New Mexico; that it was somewhere



JOHN P. CLUM

in the midst of the fastnesses of what we called the "Rocky Mountains," hundreds of miles from a railroad, and at the end of the Santa Fe Trail. It seemed a long, long, long way off. I admit I was a bit nervous, but I felt a genuine thrill in the prospective adventure.

I entered the plains over the old Kansas-Pacific road. Herds of buffalo were to be seen from the car windows, and the picturesque buffalo hunters were posing at every station. I left the train at Kit Carson, Colorado, and embarked upon my maiden stage journey. All of the meteorological instruments for the new station at Santa Fe had been shipped by express — excepting my barometer, which I carried with great care to avoid injury or breakage. This instrument consisted of a slender glass tube about three feet long filled with mercury; the glass tube set in a metal case. The instrument was packed with cotton in a wooden case which was fitted with straps to swing over the shoulder.

The stage was a two-seated affair drawn by four mules, and when we pulled out of Kit Carson I was the sole passenger. It was Sunday morning. The sun was bright, but the road rough. With the strap over my shoulder I was holding the barometer in my arms. A sudden jolt might easily cause the mercury to shatter the glass tube, or, at least, to force an air bubble into the vacuum. My barometer must arrive in Santa Fe in perfect order; so I braced my feet against the front seat and persistently hugged that packing case all the long day as we bumped our weary way to Trinidad.

It was evening when we reached Trinidad. Here I transferred to the big Concord coach with six horses and a shot-gun messenger on the "box" with the driver. Within the coach was a Mexican with sarape and sombrero—smoking a "corn-shuck" cigarette. The odor seemed tremendously offensive to me. Suddenly a Winchester rifle was shoved into the coach followed by a stranger whose strong right hand gripped the deadly weapon. In the semi-

darkness he looked the part of a desperado or a bandit, but proved to be Chief Engineer Morley of the A. T. & S. F. Railway Co., who was then making a preliminary survey for the line via the Raton Pass.

Snow was falling when we left Trinidad and the storm increased as we advanced up the mountain grade. Shortly before midnight we halted at Dick Wootton's station for a change of horses. It would be dangerous to attempt to cross the summit in the night and the storm, so it was determined that we should remain at Wootton's ranch until daylight. In this decision I most heartily concurred. To pass a night with Dick Wootton in his own cabin in the Rocky Mountains! Dick Wootton, the famous scout and the friend of Kit Carson! Was I dreaming? The cabin fascinated me. It was a crude affair of adobes and boulders and timbers, rudely furnished and decorated in mountaineer fashion with skins and horns and heads — trophies of the chase and proof of the prowess of "Uncle Dick" as a hunter. A variety of fire-arms swung or rested on pegs and brackets about the walls. A fire of pine faggots roared within the ample fire-place and the leaping flames flashed reflections along the gleaming barrel of a Colt's forty-five six-shooter resting on a bear-skin flung over an old packing box which was serving as a side table. The "gun" was quite new with ivory handle and nickel plated. On the cylinder I read the following inscription: "Presented to Dick Wootton by his friend Kit Carson." Surely I was touching elbows with some of the most famous characters of the old frontier. It all seemed very wonderful to my youthful imagination as I stretched out in my blanket on that mountain cabin floor for a few hours rest from the fatigue of travel — and the persistent hugging of my precious barometer.

Finally the full length of that old Santa Fe Trail had been measured and we rolled up to the old plaza about midnight. I was deposited at the old Fonda. Tom McDonald was proprietor. Tom gave me a good bed and I was glad to make good use of it.

Johnson & Koch had their store in a two-story building facing west on the plaza at the corner of Palace Avenue. Mr. Johnson rented me quarters immediately in the rear of this store — two rooms, one above the other, facing north on Palace Avenue. Immediately to the east was a building in which Manderfield & Tucker published *THE NEW MEXICAN*.

A stairway at the rear of my quarters gave me access to the roof — which was flat. Several of my instruments were installed on this roof. My barometer, which I had fondled so affectionately throughout those days and nights of rough riding, had arrived in perfect condition and was conveniently installed in my office. All being in readiness, the taking and recording of meteorological observations began forthwith.

And thus it transpired that, on or about the 15th of November, 1871, the ancient and honorable pueblo of Santa Fe joined with forty-nine other stations in an undertaking that was destined to provide authentic and permanent records relative to atmospheric conditions throughout the United States.

Six observations were made and recorded daily at each station. Three of these observations were made simultaneously throughout the United States and the results forwarded immediately to the chief signal officer at Washington in the form of a cipher-telegram. If I remember correctly, the exact time for making these simultaneous observations at Santa Fe fell at 5:39 a. m.; 2:39 and 9:39 p. m. Mr. Gough (and I think his first name was Thomas) was the telegraph operator during all of the time I was stationed at Santa Fe.<sup>1</sup>

Sometime during 1872 my station was inspected by Lieut. A. W. Greely (later Artic Explorer and now Major General in command of the Signal Corps). An episode of this inspection impressed a vivid picture on my memory — amusing to me, but somewhat humiliating to the lieuten-

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1. Mr. Clum wrote later that he thought the name was "Joseph."

ant. He carried with him a special barometer with which to test the accuracy of the barometers in use at the various stations visited by him. When I hung his instrument beside mine preparatory to making the test I detected an air bubble in the column of mercury. When I asked the inspector how he had carried his instrument between the railroad and Santa Fe, he replied that he had "strapped it to one of the uprights in the frame of the coach." I remarked that his instrument appeared to be defective. He demurred. Then I pointed out the bubble of air. That settled it. Greely was vexed. "We must refill it," he said. "I lack the equipment," says I. "Your 'student lamp' will do," says he. I demurred. He insisted. Notwithstanding it was his barometer, I proceed with the refill under protest. I feared the tube would break. He was confident it would not. I put in an inch of the mercury and "boiled" it; then another inch with more boiling, but when I had added the third inch there was much "knocking" at the end of the tube. I hesitated. "Go ahead," directed the inspector. I added another inch and again inserted the tube in the lamp chimney. The mercury gave a sudden jump upward and came back with a kick that knocked the bottom out of the tube and let the mercury out on the floor. I suppose I laughed. Greely was mad. My barometer was never "tested" while I remained at Santa Fe.

Later I secured quarters on the opposite side of Palace Avenue and about a block further eastward in the "Sena Building." I think the owner's name was José Sena y Baca. These quarters included a large room on the second floor. This I fitted up with suitable seats and desks and forthwith started a PRIVATE SCHOOL. This, I believe, was the first school established in Santa Fe by an American and conducted entirely in the English language. It proved a fairly successful enterprise. I charged three dollars per month per pupil, and at one time I had 75 scholars on my rolls. I found it necessary to employ an assistant teacher. My pupils included a daughter and a

son of General Gregg, commander of the Department of New Mexico. These young people were about sixteen and fourteen years of age, respectively. A daughter of Col. Potter, paymaster. A son and daughter of Surveyor General Proudfit. Two daughters of a Mrs. Shaw — the elder about seventeen, and three well grown boys whose father was a native of Spain and well educated. These are all I can recall at this time — after a lapse of fifty-four years.

Prior to opening my school I had two other jobs to occupy my spare time. For a while I was a clerk in the office of General Smith, collector of internal revenue, and later I served for several months as night guard at the United States Depository — under Mr. E. W. Little. The Depository was then located in the southwest corner of the Governor's Palace.

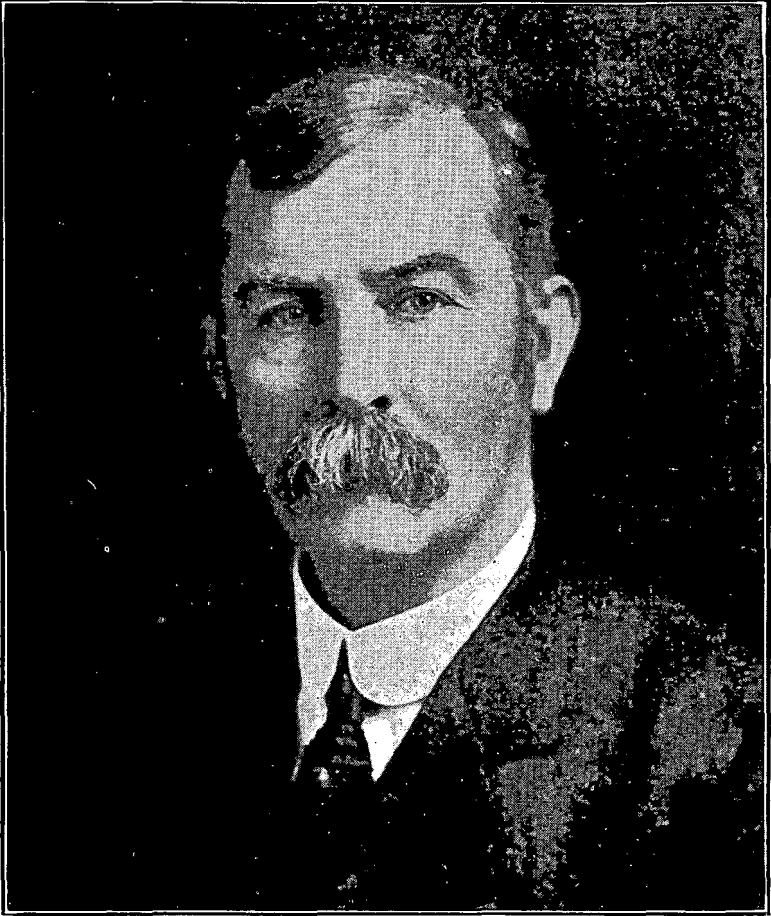
And I must not fail to tell you that at one time, for a period of two or three months, I was the sole occupant of the quarters assigned to the chief executive of the territory in the Palace of the Governors, and during that period all of my friends took pains to address me as "GOVERNOR." As a matter of fact Hon. Marsh Giddings was the governor. He found it desirable for him to make a visit of two or three months to "the states" and requested me to take charge of his quarters in the Palace during his absence. And thus it transpired that I occupied the identical bedroom in which Gen. Lew Wallace later completed his marvelous story of Ben Hur.

During the early 70s there was a Presbyterian mission church at Santa Fe presided over by Dr. MacFarland. Notwithstanding my youth (and sins) I was made an "elder" in this church, and was elected as the delegate to represent the Presbyterian church of New Mexico at the Presbyterian General Assembly which met in Baltimore, Md., May, 1873. Again I was delegate to the Presbyterian General Assembly which met at St. Louis, Mo., in May,

1874. At Baltimore I was made a member of the judicial committee of the assembly, and by looking wise, listening much and saying little I managed to "get by" without inviting special attention to the fact that I "had seen only 22 summers." It may be mentioned, however, that I had a mustache and "chin whiskers" in order to give a more mature expression to my personal appearance.

At St. Louis I made a speech that swept me on to fame and confusion within the brief period of ten minutes. The session of the assembly was approaching adjournment and a rule had been passed limiting all speeches to FIVE MINUTES. I was asked to tell the assembly all about New Mexico, but the committee impressed upon me the necessity of condensing my material so as to conform to the FIVE MINUTE RULE. The church seated about 1500. A temporary platform brought the speaker well toward the center of the audience. The fatal moment arrived. The moderator announced my subject and my name. I stepped forward and faced that grand audience. It was a "grand" audience, for it included representatives from all parts of the world, - famous men and men of wisdom, presidents of colleges, eloquent preachers, noted attorneys, captains of industry, etc. With the delivery of my first sentences I felt that that grand audience was listening. I was speaking of a remote, vaguely known, romantic section of the United States. To know that I was holding the attention and interest of that audience was a great inspiration, and so I told my little story of romantic New Mexico with an eloquence born of the environment. Suddenly a sharp tap of the moderator's gavel indicated that my time was up. Immediately I started a retreat, but before I could escape from the ample platform a motion had been carried granting me FIVE ADDITIONAL MINUTES. A grand compliment from that grand audience, — BUT having made a supreme effort to condense my story to fit the five-minute limit, I admit that the "encore" was a trifle confusing to an amateur orator.





DR. FRANK SPRINGER

## NECROLOGY

## DR. FRANK SPRINGER

Flags fly at half-mast over the Palace of the Governors and the Art Museum. The Scarpitti bust of Frank Springer in the Library of the School of American Research is draped in black. The members of the staff of the Institution are sorrow-stricken. Their friend and benefactor, New Mexico's foremost citizen, has departed to "that mysterious realm" whence there is no return. Dr. Frank Springer, president of the Managing Committee of the School, passed away at two o'clock, Thursday afternoon, at the home of a daughter, in Philadelphia, Pennsylvania, where for many months he had been wrestling with Death, the inexorable.

Dr. Frank Springer's interests were so many, his achievements so remarkable and far-reaching, his life so filled with deeds of note that an adequate biography must be reserved for a later date and more ample space. A brief outline of his long life is all that can be printed here. He was born at Wapello, Iowa, the son of Francis and Nancy R. Springer, June 17, 1848. The father had made himself a place of eminence in Iowa history. It was said of him that he "was one of the best *nisi prius* judges the state has ever had." In 1857, he presided over the Constitutional Convention of Iowa and his portrait with that of his distinguished son, Frank, hangs in the Historical Gallery at Des Moines, Iowa, a hall of fame of Iowa's most renowned citizens.

The subject of this sketch attended the public schools of his native state and graduated from the State University of Iowa in 1867. In addition to his regular University course, he took up the study of geology and paleontology, his zeal for the natural sciences being fired by Louis Agassiz, with whom he struck up a fine friendship. How-

ever, upon graduating, Mr. Springer entered the law office of Hon. Henry Strong of Burlington, Iowa, and he was admitted to the Iowa Bar in 1869. Despite his youth, he was named prosecuting attorney for the counties of Des Moines and Louisa, Iowa. Two of the noted murder cases he prosecuted and several important civil suits in which he was counsel are reported in the Iowa Supreme Court reports. Even in his busiest days he continued his research in the field of Paleontology and began writing his series of memoirs and monographs which fill a good-sized book-shelf and won him international recognition.

In 1873, Mr. Springer moved to Cimarron, then the most important point in the county of Colfax. There he published a newspaper and as attorney for the Maxwell Grant Company and the Atchison, Topeka and Santa Fe Railroad, laid the foundation for his fortune that gave him the means in later years for his splendid beneficences. It was a stubborn and long drawn-out struggle over the Maxwell Land Grant against such legal giants as General Benjamin F. Butler, Hon. John G. Carlisle, Judge Brodhead, and it was Springer's brilliant argument and cogent presentation of the case before the United States Supreme Court that won the day and earned the young barrister the public and personal praise of Supreme Court Justice Samuel F. Miller.

In 1883 Mr. Springer moved to Las Vegas and continued to claim that as his residence to the time of his death. In 1890 he was elected president of the New Mexico Bar Association and the address he delivered on New Mexico land grant titles led to the creation by Congress of the Court of Private Land Claims. He drafted the principal provisions of the law to which New Mexico owes the settlement of its land grant controversies. As a member of the Constitutional Convention of 1899 he made a fearless fight for the cause of public education in the State. He was a member of the Legislative Council of 1880 and of 1901 which in 1880 met in the Palace of the Governors, in the southeast room now occupied by the New Mexico

Historical Society. It was from those days that his interest in the restoration of the Palace dated and which in later years took such beautiful form when he provided the means for the mural paintings by Carl Lotave that now adorn the Puye and the Rito de los Frijoles rooms. For five years he was president of the Normal University at Las Vegas and the record discloses that he laid the foundations for the success of that institution. It was there that was formed that unshakable friendship with Dr. Edgar L. Hewett, who was president of the Normal University, and through whom was awakened that interest in American Archaeology which later fruited in the founding of the Museum of New Mexico and the School of American Research in Santa Fe. It was there that he recognized the ability of Chapman, Nusbaum, Dr. T. D. A. Cockerell, McNary and others. His skill in drafting statutes is manifested in the organic acts of the Museum and the School and it was his aid quietly given, that repeatedly brought legislative support to a project which to the average legislator seemed far outside of the province of territorial and state activities. It was his munificence and that of friends he interested which made possible the erection of the Art Museum in Santa Fe and his patronage of art which helped to make Santa Fe an art center. It was he who had made possible to Donald Beauregard the attainment of an ambition to study abroad and who commissioned him to paint the St. Francis murals finished by Chapman and Vierra after Beauregard's untimely death. Many a young artist owes him financial assistance at a critical time. It was therefore a source of much pride and gratification to Mr. Springer, when his own daughter Eva made of herself a noted miniature painter and later developed in broader fields of painting.

His interest in the Museum brought Mr. Springer to Santa Fe oftener and for longer periods and he formed strong friendships locally. As a member of the Board of Regents of the Museum and president of the Managing Committee of the School, his chief interest the past twenty

years had been the development of both institutions. He became one of the guarantors who made the publication of "Art and Archaeology" possible and was prominent in the councils of the Archaeological Institute of America of which he was a councilor and vice-president. He presented the Director's residence, the Finck Linguistic Library, works of art and other gifts to the School. At the same time he continued his research in paleontology. However, when his final work "American Silurian Crinoids," a monumental volume, was published a few months ago by the Smithsonian Institution, he wrote to Santa Fe that he considered his life work finished and praised Providence for permitting him to read the final proof.

As long ago as 1902, *The Popular Science Monthly* said: "Frank Springer, our best authority on crinoids, has been able to produce the most elaborate and careful works in the intervals of a busy life as a lawyer—works which it may be remarked, are much better known in London than in New Mexico, where he resides." This year, in its issue of April 29, *Science* said: "Many-sided Frank Springer, born in 1848 in Iowa, educated there and admitted to the bar in 1869, has long been America's foremost authority and the world's most prolific worker in the field of fossil crinoids. Beginning his scientific career in 1867 with an adopted son of Iowa, Charles Wachsmuth, their joint publications continued until 1877 (sixteen titles.) Since then, Springer has carried on his studies of crinoids alone, and has added to his bibliography fifty-seven scientific titles, besides forty-six other miscellaneous papers having to do with law and public affairs. His results are fundamental in crinoid morphology and taxonomy. Since 1873 he has been a citizen of New Mexico, where he became one of the State's leading men and also amassed a fortune. A good part of the latter was used in getting together the largest collection of crinoids, blastoids and cystids anywhere, and after describing and illustrating these rarities as no other worker has, he gave them unencumbered to the nation through the Smithsonian Insti-

tution. Crinoids, and especially whole ones, are usually very rare fossils, but when good leads are gone after with pick, shovel and powder, as many have been under Springer's direction, the results are astonishing. . . . Would that the human world had more men like Frank Springer!" Dr. Springer was up to the time of his death an Associate in Paleontology of the United States National Museum, an Associate of the Museum of Comparative Zoology of Harvard University, a life member of the American Association for the Advancement of Science, the Geological Society of America, the Paleontological Society, the Archaeological Institute of America, the Historical Society of New Mexico, the Archaeological Society of New Mexico and the Santa Fe Society of the Archaeological Institute of which he was president for a number of years. He had been abroad repeatedly. He formulated at Amsterdam, Holland, the plan for the government of the Maxwell Land Grant and was until his death president of the Maxwell Grant Company. With his distinguished brother, Hon. Charles Springer, he built the Eagle's Nest Dam on the Grant, and with their associates built the St. Louis, Rocky Mountain and Pacific Railway, and developed the coal mining and other resources of that great domain.

Dr. Springer was much sought as an orator and his orations are classics. Some of them mark milestones in New Mexico history. At its centennial celebration, in 1921, George Washington University at Washington, D. C., made him a Doctor of Science. In 1924, the University of Bonn, Germany, conferred the degree of Doctor of Philosophy upon him.

Dr. Springer's knowledge of music, especially classic music, was profound. He played the flute admirably. He was a connoisseur in oriental rugs and his more intimate friends were often surprised to discover a new side to his astounding range of knowledge, which his modesty had kept unrevealed.

Mr. Springer was married in Cimarron on October 10, 1876, to Josephine M. Bishop who survives him. to-

gether with these children: Laura, wife of John J. K. Caskie of the legal staff of the Philadelphia Transit Company, residing in Philadelphia; Helen, wife of John F. Fairbairn, of Buffalo, N. Y.; Ada, wife of Dr. Warren B. Davis of Philadelphia; Eva, a noted artist; Major Edward T. Springer of Cimarron, who distinguished himself in France during the late war; Lieutenant L. Wallace Springer of Springer, who was in the aviation service and wounded in battle in France; and Henry S. Springer, whose untimely death of pneumonia, at Cimarron, in 1920 was one of Dr. Springer's sorrows in late years, to which were added heavy financial losses through New Mexico bank failures, during which Mr. Springer voluntarily contributed vast sums to avert financial disaster for others. Death did not come unexpectedly to Dr. Springer. Since 1906, when he broke down physically, and his ailment was pronounced organic heart disease, he faced the Great Destroyer daily and unflinchingly. With his marvelous perseverance he not only set himself, but scrupulously observed, a regimen of regular exercise. He studied everything that had ever been written on heart disease and knew minutely the many methods that had been devised in this country and abroad for the building up of heart power. He had himself so well in hand, that he would climb steep hillsides among the Pajarito cliff dwellings and walk ten and more miles a day in the Rito de los Frijoles Canyon which he loved beyond any other spot. But two years ago, the final breakdown came to him while at the home of Carlos Vierra, the artist, with whom he built a beautiful home on Buena Vista Heights in this City. Still, he was able to go to Washington, D. C., where he also maintained a fine home establishment and where Mrs. Springer resides. From there he went to Philadelphia to be with his daughter Mrs. Davis and under the professional care of her husband. He spent such time as he could leave bed working on his last volume. In fact much of the proof was read while he was confined to bed, his indomitable will keeping him busy to the end. Ripe in years and honors, he sank into eternal sleep, his family

about him, his son Edward having left Cimarron only a few days ago in answer to summons by the family.

Mr. Springer's friendships among men of science, bankers, statesmen, jurists, artists and writers were many and to quote one of these, Dr. Charles F. Lummis:

“Grave and gentle and strong and still  
Sits the Chief in the Council Tent;  
But when we come to a breakneck hill  
His is the hand that is lent:  
There's a Something we all can feel—  
Power and poise of the Elder stamp;  
Solomon must have made a deal  
With Springer, Dean of the Rito camp.

Or to quote James G. McNary upon the occasion of the presentation of the Scarpitti bronze bust of Mr. Springer to the Art Museum on September 8, 1922:

In solitude he played his flute and thought,  
Till finally this miracle was wrought,  
The ordered working of his brain  
Gave power to his gaze and through the train  
Of aeons of dead years his piercing eye  
Sought out Earth's secrets where they underlie  
The cold-faced rocks. Then slowly page by page  
He read through Nature's book and age by age  
He found a story there. Today the world  
Is deeply in his debt, for he revealed  
To man the mystery the Earth concealed.

The funeral services took place at Philadelphia on Saturday, September 24, and were private. On Sunday, October 9, memorial services are to be held in the St. Francis Auditorium at Santa Fe. Hon. Charles Springer, who mourned the loss through death but a few days ago of a sister-in-law, Mrs. Chase of Cimarron, was unable to reach Philadelphia in time for the obsequies which were attended only by the immediate family.—W.



## BENJAMIN M. READ

Death came suddenly but peacefully to Benjamin M. Read, historical writer, legislator and member of the New Mexico Bar, on the morning of Thursday, September 15, 1927. Had he lived to September 20, he would have been seventy-four years of age, having been born at Las Cruces on September 20, 1853, the son of Benjamin Franklin Read and Ignacia Cano. The father had come to New Mexico from Baltimore in 1846, the year that the United States forces took possession of Santa Fe. He was a direct descendant of George Read of Delaware, of Revolutionary fame and one of the signers of the Declaration of Independence. The mother of Benjamin M. Read was the daughter of Ignacio Cano who had come from Mexico and was credited with the discovery of the Ortiz gold mine in southern Santa Fe county, which was worked and produced gold, decades before the discovery of gold in California. There were three sons to the marriage, Benjamin M. Read, Alexander and Larkin G. Read, all of whom attained prominence in the law. Their father died when they were children and the mother, impoverished by litigation over the Ortiz mine, had a difficult time to feed and clothe the youngsters. Nevertheless, they managed to obtain as good an education as the time and place afforded.

When sixteen years old, Benjamin M. Read was given employment by the A. T. & S. F. Railway as section hand at Kit Carson, Colorado, and rapidly advanced to conductor. In 1871, he became secretary to Governor Marsh Giddings of New Mexico. Four years later he held the position of preceptor at St. Michael's College and at the same time was superintendent of public schools of Santa Fe. In 1881, he became secretary to Governor Lionel Sheldon. During sessions of the legislative assembly he served as translator and in 1884 he was chief clerk of the legislative council,



BENJAMIN M. READ

his experience serving him in good stead when he later served repeatedly as member of the legislative house. The first time he was elected, for the session of 1891, he was unseated but was re-elected by increased majority for the 1893 term. During the 1901 session he served as speaker of the House.

While secretary to Governor Sheldon he read law and was admitted to the New Mexico Bar in 1885. He was one of the organizers of the New Mexico Bar Association, his address to that body in 1889, pointing out defects in the existing compilations of the New Mexico statutes resulting in legislation that produced the Compiled Statutes of 1897 and gave him a place on a Commission to revise the laws.

The demand for Mr. Read as a translator, especially of original documents in Spanish, aroused in him an interest in the New Mexico archives and the source documents for New Mexico history. Though untrained in scientific research work, he set about to procure from Spain and Mexico documents bearing on New Mexico history and acquired from old families their possessions in the way of letters and documents. In 1910 he published his "Guerra Mexico-Americana." In 1910, followed his "Historia Ilustrada de Nuevo Mexico," which also has been translated into English. In 1914 came his "Popular Elementary History of New Mexico" for school use. His last published book was a "Digest of Documentos Inéditos del Archivo de las Indias." At his death he had completed the manuscript of a biography of Hernando Cortéz, in which he sought to clear Cortez of the various charges that had been made against the Conqueror and sought to establish his fame as one of the greatest, if not the greatest figure in American history. He had also prepared "Sidelights on New Mexico History," from which he had published excerpts in the public press and which embodied the result of his research in local history. This research work brought him in contact with other students of history with whom he

maintained lively intercourse and occasionally spirited debates on mooted points of history. It was his delight to take visitors who manifested an interest to his home there to exhibit his historical collections. His controversy with the custodian of San Miguel Chapel at Santa Fe regarding the age of the old church was carried on for years and was characteristic of Read whose literal-mindedness had no patience with romanticism when it came to historical statements. Mr. Read's writings hardly struck a popular chord. At the same time, his lack of scientific training barred him from the recognition which his zeal and persistent endeavor should have brought him. The fact that he thought and wrote in Spanish and insisted upon a literal translation, robbed his English work of much of the spirit and smoothness of his Spanish diction. This also made it difficult for him to find a publisher and he was compelled to finance his own publications with but meager financial returns to himself. The more praiseworthy was his loyalty to his Muse. In later years he gave up his law practice and other occupation in order to devote himself to historical research and writing. The New Mexico Historical Society honored him by electing him a fellow. He was also a member of the New Mexico Archaeological Society and occasionally contributed to its publication, *El Palacio*.

In 1876, Mr. Read married Ascension Silva who died in 1878. In 1880 he married her sister, Magdalena Silva, who gave him seven children of whom only two survive: the Misses Candida and Emilia Read. The second wife died in 1892 and in the following year he married Onofre Ortiz, daughter of Captain Rafael Ortiz, who also preceded him to the grave. Mr. Read was a devout Catholic and took a keen interest in civic affairs. Only a few days before his death he rode in state through the streets of Santa Fe as King Ferdinand on a float in the Fiesta parade. By a strange coincidence, Mrs. L. Bradford Prince, a warm friend of Mr. Read, who had represented Queen Isabella

on a similar float a few years before. had also died shortly after the Fiesta of that year.

The funeral took place from the Read home on Read street, on Saturday forenoon, September 17. Low mass was celebrated in St. Francis Cathedral. Interment was made in the family plot in Rosario Cementery. The active pall bearers were Judge John R. McFie, Francisco Delgado, Charles J. Eckert, R. L. Baca, E. H. Baca and Frank Seidel. The honorary pall bearers were Chief Justice Frank W. Parker, Judge Reed Holloman, Manuel B. Otero, Paul A. F. Walter, Juan Sedillo and A. M. Bergere.—W.

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#### NEWS AND COMMENT

##### MARKERS AT LINCOLN

The town of Lincoln is the past petrified, static; there Time has incredibly stood still for half a century; one can believe that so intense were the passions there loosed in the southwest's greatest outbreak of homicide that the spirits of the dead hover closer to the border line that separates them from the living than elsewhere. One gets this feeling of persistence of other lives strongly in Santa Fe; but in less degree perhaps than in the old hamlet of the mountains made immortal by the exploits of a strange, hard, smiling, inexplicable young man canonized as a legendary hero and cursed as a wholesale and atrocious murderer.

There is as yet no garish modernity in Lincoln, despite the fact that the world is tramping a path to its doors.

The stranger finds what appears to be a deserted village until he hunts up somebody in a store or dwelling. He is more and more likely to have read the saga of the place; and increasingly curious to know what he is looking at. He may find an old-time resident who will answer his questions; the old-timers, however, do not always agree. If he is fortunate enough to catch the school master in the old court house, now used for the instruction of youth, or someone else available, he will be shown the Murphy store, the Ellis hotel, the McSween building and the window in the court house whence the audacious gunman blew the life out of Ohlinger.

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The New Mexico Historical Society has discussed the advisability of starting a movement to have the historic spots at Lincoln labeled, inconspicuously, for the information of visitors, enlisting the aid of informed residents of the region to see that the data is accurate. It might indeed be wise to thus give official recognition to the importance of Lincoln as a relic of one of the most thrilling periods in the story of New Mexico. The time will doubtless come, here as elsewhere, when it will be necessary to guard this relic, protect it from sight-seers and vandals, and labor to keep it unspoiled. The Historical Society is the proper agency to bring all interested persons together in the matter. The suggestion is made that a room of the court house be used for a small historical museum, containing matter dealing with the Lincoln county war and William Bonney. The idea is not of course to bring crowds to Lincoln, but to see that those who come can view its places of interest intelligently and to the best advantage. The New Mexican would be pleased to hear any expressions from residents of Lincoln, from Walter Noble Burns, from Eugene Manlove Rhodes, from J. V. Tully, John Y. Hewitt, Oliver Lee, from the Carrizozo and Alamogordo papers or others. These names occur to us as of those interested.— Santa Fe New Mexican

#### SANTA FE TRAIL AND CLIFTON HOUSE

A group of teachers in the South Side schools are studying up the history of New Mexico. It is one of the requisites in this state that teachers pass an examination in state history and those who come here from other states devote some time to becoming familiar with facts concerning the state and county. In pursuance of the information a group of teachers are meeting after school in one of the class rooms and on Wednesday they gathered there to hear some of the early history of the county presented by W. A. Chapman, who came into the state, stage coach style when a boy of sixteen over the old Santa Fe trail, when at stated intervals the stage coach driver pulled up with a flourish to the old hostelrys, the teams of four and six horses were changed for fresh relays, a new driver took the box, cracked the whip and the passengers began another lap of the journey through the wooded hills.

If Maxwell and Springer claim to have been on the old Santa Fe trail, they are harboring a mistaken idea, Mr. Chapman says. The old trail came over the little settlement of Willow Brook, whose two or three log houses out on North Second street are now a heap of stones, all that is left of the cabins of the early settlers. The trail went straight through to the Clifton House a

few miles south of town, one of the old time taverns where travelers were refreshed. Only two stone columns are left standing now of the old tavern. In her list of interesting historical monuments of the past, Miss Grant, Taos artist, who talked to members of the Area Council at Springer Tuesday evening, mentioned the old Clifton House as one of the memorials of early history which should be preserved by markers.

No one knows just how old Cimarron is. It was once an important little town on the old trail, frequented by soldiers and officers from the nearby forts. It was the capital of Colfax county, as was also Elizabethtown. In the days of the gold rush Cimarron canyon was full of eager gold prospectors and the placer miner washed the yellow flakes from the sand. But this is diverging from the story of the Trail, which Mr. Chapman says, ran from Trinidad through Willow Brook to Cimarron, on to Rayado, Ocate, to Las Vegas and Santa Fe.

Colfax county has more coal than any other county in the United States. When transportation becomes cheap enough to make mining the coal worth while, a great industry will be developed here. Lucien Maxwell, who lived like a feudal lord on the Maxwell land grant for years, found the first coal. A passing ox team dislodged some of it on a mountain trail south of Cimarron and he picked up the pieces and threw it into the fire place to see if it would burn. It was real coal.

When New Mexico was a part of Old Mexico, two French Canadian trappers came into this country. Their names were Miranda and Beaubien. In course of time Miranda died and his partner fell heir to all his land holdings here which approximated 1,764,000 acres and a little fort which the two men had built for the protection of themselves and the sparsely settled lands surrounding them. Lucien B. Maxwell, Kentucky horseman, came to the Southwest, married the daughter of Beaubien and in course of time bought out the remaining heirs for a pittance. His land became known as the Maxwell Land Grant and here in the old Maxwell House he lived, entertaining like a lord, breeding fine horses and herding enormous flocks of sheep. Afterwards his land was sold to an English company and became the headquarters for dissolute sons of the English nobility who lived in the same lordly fashion as Maxwell until bankruptcy overtook them and the land was sold again to a Dutch syndicate. Squatters settled in the pretty valley and a party of them chased Mr. Chapman off their reservation when he came back here as a government surveyor.

Colfax county is a kingdom in itself, rich in many minerals, and some day when the exorbitant cost of bringing machinery



into this part of the state has been overcome, its resources will be developed. It has now fine agricultural mesas, great cattle ranges, the finest climate in the world, eternal sunshine and an atmosphere which has so well preserved the antiquities of its settlement by its communistic tribes of Indians and the Spaniards that Dr. Hewett, who heads the archaeological excavations in the state, says that he waits breathlessly for the curtain of the ages to be lifted and reveal who were the first men who lived in New Mexico, whose family tree is so old that it would put the Mayflower's passengers to blush with its antiquity.—Raton Reporter.

#### RATON NEEDS MUSEUM

It is regrettable that Raton has no place for the accumulation storage and display of much of its historical material. One with an interest in such things, by delving around among the older business houses and talking to older residents here will find that there is an enormous amount of historical material in and near Raton which should be gathered and cared for, as a heritage to hand down to the Raton of the future. This material is very perishable and with the passing of those for whom it has a personal sentimental value, it is very apt to be lost or destroyed. Doubtless much that would be of the greatest interest to the future Raton has already been lost for all time in this way. By its very nature, it can not be replaced. Not only in Raton are there objects and papers of great historical value. The same is true of practically every community of the county. Cimarron, Springer, Elizabethtown and other towns are treasure houses for this kind of thing, which should all be assembled in one collection to stand as evidence to the historical background of the county, which cannot be surpassed anywhere. To illustrate, recently when an old building at Elizabethtown, which had seen that place in its most glorious days, was torn down, in the debris were found priceless relics of that most interesting period of the gold boom days. Parallels to this are found each year in some part of the county. It would be a good work for the city and county as a whole for some organization here to make plans for gathering historical data from all places and people of the county with a view to eventually having a county historical society to care for it. It is not too much to look forward to a day when Raton can have a museum of some kind where this material may be studied by the public. With the increasing interest in the excavation work at Folsom, it might even some time be possible to obtain a valuable collection of prehistoric specimens from that region. All this would some day make the city a center of interest for those who find pleasure and instruction in the study of the past.— Raton Range.

## AMONG THE EXCHANGES

*Minnesota History* for September has as its leading historical article an account of the Benedictine settlements in Minnesota and the debt that they owed to Monte Cassino and Metten in Europe. The author is August C. Krey of the University of Minnesota. The story of Fort Beauharnois is told by Louise Phelps Kellogg of the State Historical Society of Wisconsin. Grace Lee Nute tells of "Wilderness Marthas," the women who made the wilderness habitable in pioneer days. An account of the sixth convention of the Minnesota Historical Society, held at St. Cloud and Willmar, is given. These state conventions are preceded by a pilgrimage to historic places and in successive years conventions have been held at Duluth, Redwood Falls, Detroit Lakes, Winona and Mankato. "The results amply justify the prediction made after the first convention that these excursions into the state and into its past not only would prove an important factor in the dissemination of information about Minnesota history, but also would encourage local history organization. They have helped to impress upon the people of the state the many-sided interest and the present-day meaning of its past. They have led to the organization of several county historical societies. They have produced historical papers and addresses of permanent value, many of which have been published." The Society reports fifty-one new members during the three summer months.

*The Washington Historical Quarterly* in its third issue for the year presents the story of the "Educational Development in the Territory and State of Washington 1853 to 1908." It is followed by a biographical sketch of "Doctor Robert Newell, Mountain Man," who settled in 1844 on what became the townsite of Champoeg. "Lewis County's Early History," "In a Prairie Schooner, 1878," "The Whatcome Trails to the Fraser Mines in 1858," and "Bonneville Papers" are other titles.

*Story of the Munk Library.* It is like sitting in the study of Dr. J. A. Munk and listening to him discourse on his favorite topic to read his "Story of the Munk Library of Arizoniana" just from the Times-Mirror Press of Los Angeles. There are twenty chapters but they are chapters in miniature-the book is read in less than an hour and it is easy reading at that. The Munk Library now consists of more than 16,000 titles bearing directly or indirectly on the history of Arizona and Dr. Munk has earned the gratitude of generations to come for bringing together this unique collection of books,

maps and photographs. As stated in the foreword by Dr. James A. B. Scherer: "The scholar is delighted, the student profited and the mere browser luxuriously rewarded in the Munk Library." The library had its origin in a trip to Arizona more than forty years ago by Dr. Munk, for upon his return to Topeka, Kansas, Major Thomas J. Anderson, passenger agent for the Santa Fe Railroad, gave him a copy of Hinton's Handbook to Arizona. To this was added Peter's Life of Kit Carson. These kindled a life passion for collecting Arizoniana or as Dr. Munk puts it: "During all of this time, I was on the hot trail of every Arizona book that I could find." Conversationally, reminiscently, Dr. Munk tells how the library grew, the contacts it brought him, the incidents and motives that led him to give the Library to the Southwest Museum in Los Angeles instead of to some Arizona institution. Anecdotes of a bibliophile are interspersed with the recitals of the vicissitudes that the Library has suffered, through it all is the joy of the collector in his achievement. Dr. Munk of late has had the satisfaction of helping to start another library of Arizoniana at the University of Arizona to which he gave all of his duplicates. Oh, that New Mexico and every other state had a Dr. Munk! Incidentally, Dr. Munk pays a deserved tribute to Miss Adelaide Chamberlin who was the first librarian after the Library was moved into the caracol tower of the Southwest Museum in 1914. "She spoke and read French and Spanish," he says, "and was conversant with the history and literature of the Southwest." He says further: "She was paid by the museum, but the sum was a mere pittance to what she deserved. The museum being short of funds, it had to scrimp where it could. She is, also, an accomplished artist and did work outside the library. She made the drawings for the frieze that surrounds archaeological hall on the evolution of the bird as found on ancient pottery; reproduced a Navajo sand painting in permanent form; and made some habitat groups for the panels in the tunnel. She was continually delving into some deep subject, which the pinheads in power could not understand." It is these delicious sidelights that gleam in every chapter which make the booklet such a charming contribution to southwestern literature.--W.

*Southwestern Political and Social Science Quarterly.* "Slavery and the American Doctrine of Equality," a dispassionate study of a subject fraught with many controversies in its implications, is printed in the March number of *The Southwestern Political and Social Science Quarterly*. The paper is by E. V. Smith of the University of Chicago. His introductory paragraph states: "The heroic attempt of Thomas Jefferson in the first draft of the De-

claration of Independence to hold the English throne responsible and censurable for slavery in America was frustrated by some of his southern colleagues. So also any explicit policy regarding slavery was found impracticable in the convention that framed the Federal Constitution. Unanimity enough to formulate the Constitution and to get it adopted was found possible only by means of golden silence upon this most unguiled subject. But smothered or clamorous, the institution of slavery was destined to continue, as it had already become in Jefferson's own mind, the more or less openly recognized challenge, not to say practical refutation, of the doctrine of natural human equality. It is of more than historic interest and value to reconstruct for ourselves the philosophy for and against slavery." Charles W. Pipkin writes on "Truth and Politics: An Estimate of the Place of Parties and their Duty in Promoting Faith in Democratic Government;" "The Basis of Americanization," is a contribution by Charles M. Rosenquist; "Are 'C' Mandates Veiled Annexations," is by Luther Harris Evans; "The Position of the State in Germany," by Frederick F. Blachy and Miriam E. Oatman; "Pillage Economy" by Max Sylvius Handman.

*Chronicles of Oklahoma.* Much that is stimulating and arouses inquiry also in New Mexico, is to be found in the recent issues of *Chronicles of Oklahoma*. Reminiscences of General Edward Hatch will appeal to those who remember that officer when he was stationed in New Mexico. "Reminiscences of Life among the Indians," has anthropological as well as historical value. The story of Andres Martinez captured by the Mescalero Apaches and sold to the Kiowas is of particular interest. Other titles are: "Address on Subject of Statehood," "Early Telephone History in Oklahoma," "Reminiscences of the Cherokee People," "Extracts from the Diary of Major Sibley," which tells of Zebulon Pike's reception by the Pawnees on his way to Santa Fe and of the efforts of the Spanish Governor to have the Pawnee Chief come to Santa Fe there to make a treaty with him; "Reviving Lost Indian Art," a tribute to the work of the School of American Research at Santa Fe; "Historic Spots and Actions in the Washita Valley up to 1870;" "Sacred Heart Mission and Abbey," "Fort Washita," "Old Boggy Depot," "Sources of Oklahoma History," not to speak of interesting news notes and book reviews.

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THE NEW MEXICO  
HISTORICAL REVIEW

# THE NEW MEXICO HISTORICAL REVIEW

EDITORS

LANSING B. BLOOM  
PAUL A. F. WALTER

VOLUME II  
1927

PUBLISHED QUARTERLY BY  
THE HISTORICAL SOCIETY OF NEW MEXICO  
AT THE MUSEUM PRESS  
SANTA FE, NEW MEXICO

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## ERRATA

- p. 134, l. 10, *read* order to make the most of the new discovery, Father Escobar
- p. 242, l. 24, *read* It was essentially a joint expedition . . .
- p. 263, after line 1, *read* on entering it. In the valley of the said pueblo . . .
- p. 284, interchange lines 17 and 18.