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NEW MEXICO HISTORICAL REVIEW

Vol. VII APRIL, 1932 No. 2

OCTAVIANO AMBROSIO LARRAZOLO

By PAUL A. F. WALTER

Sufficient time has elapsed since the death of Octaviano Ambrosio Larrazolo on April 7, 1930, to evaluate his services to the people of New Mexico who elected him governor in 1918 and sent him to the United States senate in 1928, after having defeated him thrice for territorial delegate to the United States house of representatives and once for justice of the state supreme court. It can now be said that both defeat and victory, disillusionments and incomplete triumphs, came to him because of intense feeling engendered by his fiery and persistent pleas for race consciousness addressed to the Spanish-speaking people of the state. Whether for good or for evil, it is because of the impress he gave his day that the cleavage between the descendants of the Spanish conquerors and colonists and those who came from other states continues to be accentuated in political life and is felt even in business, in the professions, and in social activities. More than to any other partisan leader it is owing to him that the demand by the Spanish-American group for at least one-half of the candidates on the tickets of the two major parties has become a *sine qua non* in every state campaign.

So dominated was Larrazolo by this race separatist idea that he left the Democratic party which had thrice honored him by nominating him for congress, and espoused the opposition party on the plea that "the Democratic

party of the territory, or at least a very considerable portion of it, had manifested a decidedly unfriendly feeling and disposition toward the Spanish-American element in New Mexico to which he belonged."[1] By an irony of fate, the Spanish-American whom he placed in nomination at the succeeding Republican state convention, failed to get a place on the ticket, and in the ensuing campaign it was the Democrats who nominated a Spanish-American for the governorship who defeated the Republican Anglo candidate. As stated by Twitchell,[2] "There existed another element of dissatisfaction, which was more subtle in its organization and calculated, if carried to its logical sequence, to cause a disruption of the party and to lead to consequences most disastrous. This was the Larrazolo native-son propaganda which had been most industriously disseminated for more than a year in certain northern counties and like a back-fire it had attained such serious proportions and had made such pronounced impress in some quarters that Larrazolo himself could not block its headway. When the time came for putting into effect the doctrine which he had industriously preached, the results were most unwelcome to the Republicans, even to the chief apostle of racial preference, for, put in practice, it had proved a two-edged sword, encompassing the defeat of the Republican candidate for congress, a Spanish-American, and electing the Democratic candidate for governor." Further: "The Republican leaders could see no handwriting on the wall when Larrazolo was defeated for the nomination for justice of the supreme court." As a matter of fact, in the past twenty years no Spanish-American has been elected to the state supreme court. Except for the brief, ineffectual few days of Larrazolo at Washington, no Spanish-American has occupied a seat in the United States senate, and except for Larrazolo's own two years' term as governor, and a few weeks during which Ezequiél C. de

1. Twitchell, Leading Facts of New Mexican History, II, 599.
2. *Ibid.*, V, 415-417.

Baca occupied the executive office, no Spanish-American has been elected to that high position. It was the reaction from the race propaganda which denied Larrazolo a renomination for the governorship and which embittered much of his later life, when both friend and foe apparently questioned his sincerity in any position he took on policies of government and statesmanship outside of his fervent racial propaganda.

As a matter of fact, Larrazolo was a descendant of neither Spanish conqueror nor colonist of New Mexico. He was born at Allende, a small settlement in the southern part of Chihuahua, Mexico, on December 7, 1859, the son of Octaviano and Donaciana (Corral de) Larrazolo, and it was in Mexico that he spent the first eleven years of his life, though hardly cognizant of the storm that convulsed his native country during the years of the Reform and the French invasion of the Austrian Maximilian while the United States was in the throes of the Civil War.

However, Maximilian had been executed and his French minions expelled by 1870 when Larrazolo crossed the border into the United States, a protégé of the Most Reverend J. B. Salpointe, bishop of Arizona. The plastic years of his boyhood were spent in Tucson, Arizona, for it was 1875 before he accompanied Salpointe, who had been advanced to be archbishop at Santa Fé, to the capital of New Mexico, where Larrazolo had two desultory years at St. Michael's College. There he first manifested his forensic powers in class debate and declamatory contests. He returned to Tucson in 1877 to teach school, but the following year accepted the principalship of the public school at San Elizario in El Paso county, Texas. He held this position for six years, at the same time taking a keen interest in Democratic party matters which in 1885 brought him the chief deputyship in the district court and in the El Paso county clerk's office. For a time he also filled the position of clerk of the United States district and circuit courts for the El Paso branch of the western district of Texas.

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He resigned in 1886 to accept the nomination on a non-partisan ticket for clerk of the thirty-fourth judicial district of Texas. He was elected, and re-elected, the latter time on the Democratic ticket. The clerkships gave him ample opportunity for qualifying himself for admission to the Texas bar and he received his certificate for admission in 1888, at the age of twenty-nine years. He was elected, and re-elected, state's attorney of the district which he had served as clerk, and it was not until after the expiration of his second term that he planned to become a citizen of New Mexico.

In 1895, at the age of thirty-six, Larrazolo moved from El Paso to Las Vegas, where he opened a law office. His oratorical gift and the friendship of Don Felix Martinez, the dominant personality of the Democratic party in northern New Mexico, soon gained him recognition and plunged him into the turmoil of partisan politics in a day when political methods in San Miguel county were a matter of bitter recrimination throughout the territory. This was during a national Democratic administration and during the term as governor of William T. Thornton, who had been appointed to that position by President Grover Cleveland. In 1896, Harvey B. Fergusson, a Democrat, was elected to congress, Larrazolo taking an active part in bringing about the Democratic victory. This put him in line for the Democratic nomination for congress in 1900, but he was defeated by Bernard S. Rodey, the Republican candidate, the latter receiving 21,557 votes against 17,857 votes for Larrazolo. The latter blamed his defeat on Democratic defection in so-called Anglo counties, where ordinarily his party rolled up heavy majorities. However, the Democrats again named him their standard bearer for congress in 1906, when William H. Andrews, a newcomer from Pennsylvania, defeated him by the narrow margin of 22,915 votes against 22,649. Almost as close was the result in 1908, when Larrazolo received 27,217 votes for congress and his Republican opponent, Andrews, 27,605. The Socialist candidate received

1,056 votes, or more than five times as many as he had two years before. This increase was ascribed to Democrats who were opposed to Larrazolo on account of his race propaganda and yet did not wish to vote for the Republican candidate. Be this as it may, there were accusations of grave irregularities at the polls and Larrazolo brought a contest for the congressional seat. As might have been expected from a Republican house, he failed in his effort to unseat Andrews. It was Andrews who in 1910 succeeded in securing the passage of the Enabling Act, which brought statehood to New Mexico.

While not a delegate to the constitutional convention, Larrazolo's influence helped to write into it strong provisions guaranteeing the rights of the Spanish-speaking voters against disfranchisement and protecting them against discrimination on account of language or racial descent. It assured the use of the Spanish language officially, together with English, for years to come. Larrazolo campaigned effectively for the adoption of the constitution, and as a result of the favorable consideration of the claims of Spanish-Americans by the Republican majority of the constitutional convention, he disavowed his allegiance to the Democratic party in a letter to William C. McDonald, then chairman of the Democratic state committee, and who was soon to be the successful Democratic candidate for the first state governor. The acquisition of the stormy petrel of race propaganda was viewed with misgiving by many Republicans and their prophecy that it would bring disaster to the party, then strongly dominant in the new state, proved apparently to be well-founded, for McDonald was elected governor by 3,000 plurality and every Spanish-American on the ticket, no matter on which side, when pitted against a so-called Anglo, was defeated.

This aroused Larrazolo to even more fervent espousal of the cause which he had made his own. Thenceforth, he gave it whole-souled allegiance, in season and out of season. Indirectly, it was his zeal which resulted in the election of a

Democrat, Ezequiél C. de Baca, to the governorship over his Republican Anglo opponent, but here again the irony of fate intervened, for De Baca died on February 18, 1917, seven weeks after his inauguration, and was succeeded by Lieutenant-Governor Washington E. Lindsey, who thus became New Mexico's war governor.

It was not until 1918, in his fifty-ninth year, that Larrazolo attained his ambition for high political office. But it was not an Anglo whom he defeated, his Democratic opponent being Felix García, who received 22,433 ballots as against 23,752 for Larrazolo. Larrazolo as post-war governor dealt intelligently and open-mindedly with problems that arose. Already his illness, which was to prove fatal eleven years later, had put its mark upon him, but he took vigorous part in the movements of the day. New Mexico shared in the post-war prosperity and while the census of 1920 did not show the phenomenal growth disclosed by the census of 1910, yet there was satisfactory increase in population and in wealth. The legislature which met early in 1919, created Hidalgo county, and with the consent of Governor Larrazolo enacted laws providing for the Girls' Welfare Home, the Child Welfare Board, and the State Health Board, progressive and important pieces of legislation which kept New Mexico in line with much older and richer states in that respect. In the fall of 1919, when a strike of coal miners threatened disturbance and destruction of property, Larrazolo handled the situation firmly. He declared martial law and called out the militia, despite furious criticism leveled at him. A special legislative session, called in 1920 to bring about tax reforms, authorized a revenue commission whose chief accomplishment was to provide a method of assessing mining property based on production.

Governor Larrazolo was an ardent advocate of the cession of the public lands to the states in which they are located. He made vigorous propaganda for this step at meetings of western governors and in Washington, but

without material result for the time being, although the question is still a live one engaging the attention of a presidential commission and of congress. He urged federal aid to farmers and stockmen when, towards the end of his administration, deflation from war prices for livestock and the effects of drouth on agriculture first became manifest.

Larrazolo failed of renomination to the governorship in 1922. In 1924 he received the Republican nomination for one of the judgeships of the state supreme court, but he was defeated at the polls. Those closest to him realized that he felt these set-backs bitterly. However, in 1928 he received the Republican nomination for the unexpired term of the late Senator A. A. Jones, a Democrat, who also had hailed from San Miguel county and who had been a most determined opponent of Larrazolo since the first statehood election. Larrazolo was elected, but his illness had made such progress that he spent only a short time at the national capital. He came home for the Christmas holidays in 1929, greatly weakened. Over the protest of his physician he made his way back to Washington early in 1930 in advocacy of his measure for a federal appropriation and a grant to found a military-industrial school in New Mexico for Spanish-American youths. It was a futile gesture and he returned to Albuquerque, a dying man. He passed away on April 7, 1930, and three days later was buried in Santa Barbara cemetery in the Duke City.

Larrazolo was twice married. His first wife was Rosalia Cobos, their marriage taking place in 1881. She died in 1891, and the year following he married María García of San Elizario, Texas. Two sons of his first marriage and four sons and a daughter from his second union comprised his family. Practically all of his mature years, Larrazolo struggled to secure financial competence. He was devoted to his family, a devout Roman Catholic, and earnest in his admonition to the young to lead exemplary lives. He was an agreeable orator, hardly profound, but with an admirable command of both English and Spanish. In later years his

voice, which had been musically sonorous, failed him often, growing husky when he attempted any lengthy flights of oratory. Larrazolo was of imposing appearance, handsome, dark eyed and black haired until advancing years turned his abundant hair snow-white. Typical of the Latin race, he was as courtly as a Spanish grandee, suave as a diplomat accustomed to the ways and wiles of the world, but always generous in his impulses and gentle in his manner. He had a certain magnetism that swayed men, especially those whom he called his own people. To others, at times, he appeared to wear a mask beneath which he successfully hid his thoughts and dissimulated his real intentions, although seeking to convey an impression of frankness and sincerity. No matter how one views it, Larrazolo made himself a place in New Mexico history which posterity cannot deny him and his influence during the plastic final territorial days and the first twenty years after the granting of statehood will be felt for some time to come.

Born in a foreign country, citizen of two other states before New Mexico adopted him as her son, he struggled through adversity and against bitter prejudices and opposition, attaining the highest political gifts in the keeping of the commonwealth. That in itself assures him a niche in New Mexico's Hall of Fame.

INDIAN LABOR IN THE SPANISH COLONIES*

By RUTH KERNS BARBER

INTRODUCTION

The student of the labor system of the Spanish colonies is confronted with grave difficulties, not because of a scarcity of material but because of the controversial character of the material. Ever since Bartolomé de las Casas wrote his impassioned plea (1540), Spanish writers have tried to defend Spain's policy, while writers of other countries have condemned it. The *Breuissíma Relación de la Destrucción de las Indias* was first published in 1552, and translation into the principal languages of Europe soon followed. The tract became popular immediately, as shown by the following quotation from Antonio de León (1629):

> . . . there is no book which strangers desire more, nor which they seek after with more eagerness and diligence, when they come to the Court, than that of the Bishop of Chiapa; so much so that they have increased its value and made it more difficult to procure. Their esteem of it is not because of its learning and wit, but because of the freedom and harshness with which the author speaks of the Spaniards of the Indies, and of all that they did in their discovery and pacification; minimizing and denying their achievements, and exaggerating and emphasizing their cruelties with a thousand synonyms and circumlocutions; which is what most delights foreigners.[1]

Leslie B. Simpson in a recent book very ably sets forth the influence of Las Casas' work upon such writers as John Fiske, Abbé Raynal, Sir Arthur Helps, and Hubert Howe Bancroft.[2] As Bourne states, "its pictures of ter-

*Thesis presented by Miss Barber at Duke University in 1931 for the M.A. degree.

1. Antonio de León, *Tratado de Confirmaciones Reales*, p. 95, reverse (pages are numbered on only one side).

2. Leslie Byrd Simpson, *The Encomienda in New Spain*, pp. 1-18.

rible inhumanity, its impassioned denunciations of the conquerors, and its indictment of the colonial officials became the stock material of generations of historical writers."[3] Priestley, as late as 1929, writes in regard to Las Casas: "His propaganda for the amelioration of the condition of the natives is the best known incident of the Spanish Conquest."[4]

On the other hand, Spanish writers in an attempt to counteract the influence of Las Casas have attempted to prove that the administration of the Indies was characterized by a spirit of love and protection. The *Confirmaciones* by Antonio de León was written for the express purpose of answering the accusations made by the zealous bishop. José Coroleu, a correspondent of the Royal Academy, writing in 1894, gives much space to a consideration of Las Casas; his works, his followers and critics, and his influence. Although he speaks of him as "one of the purest glories of the Spanish church,"[5] he state that he carried his spirit of love to the point of fanaticism and made statements which he could not prove. Coroleu calls attention to the humanitarian zeal of the Catholic Kings, the legislation for the welfare of the Indians, and the establishment of the office of Protector of the Indians. He quotes the following passage from Cieza de León, author of *Crónica del Perú*, the first part of which was published in Seville in 1553:

> The government of the dominion [Peru] shines forth at this time in such a manner that the Indians are entirely the lords of their own estates and persons, and the Spaniards fear the punishments which they administer; and the tyrannies and bad treatment of the Indians have already ceased by the will of God, who heals everything by His grace. For this purpose there have been established *audiencias* and royal chanceries, in which are learned men of authority who, showing their

3. Edward Gaylord Bourne, *Spain in America*, p. 257.
4. Herbert Ingram Priestley, *The Coming of the White Man*, p. 119.
5. José Coroleu, *América, historia de su colonización, dominación, e independencia*, I, p. 56.

> honesty of purpose, dare to execute justice and have made an apportionment of the tributes in this dominion.[6]

One hundred and eighty-two years after this account of the beneficial effects of the audiencias in Peru, the *Noticias Secretas* were written by Juan and Ulloa, giving their personal observations in the same country. These writers tell of the continuation of the abuses of the Indians and of the corruption of the judges. From the time of the publication of the *Noticias Secretas* in 1826 until the present, this work has been one of the chief sources of information about labor conditions in the Spanish colonies. Such has been its importance that Carmelo Viñas y Mey, in the most recent Spanish work on Indian labor, devotes an entire chapter to the disproving of the statements of Juan and Ullua.[7] Ruiz Guiñazú, writing from Buenos Aires, mentions the "extreme youth of the authors, for Ulloa was nineteen and Juan, twenty-two." He states that their testimony is of "very relative value"; that they never questioned the *oidores* alluded to; that there is not mentioned any person of authority to certify to the truth of rumor or of the "se nos dice" (it is told us).[8]

Beginning with Las Casas' astounding figures concerning the destruction of the natives of the island of Española, there has been bitter controversy about the extent and causes of the depopulation of the Spanish colonies. Although Las Casas' "millions" have been reduced to "thousands" by historians of recent times, it has been impossible to deny the fact that the number of Indians rapidly decreased in nearly all of the Spanish colonies. The writers who have followed the lead of Las Casas have attributed the decline in population to forced labor, work in the mines, cruel treatment, and disease brought on by abuse and short rations. Spanish writers have emphasized the ravages of

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6. Coroleu, *op. cit.*, pp. 58-59.
7. Carmelo Viñas y Mey, *El Estatuto del Obrero Indígena en la Colonización Española*, (Madrid, 1929), Chapter VI, pp. 245-272.
8. Ruíz Guiñazú, *La Magistratura Indiana* (Buenos Aires, 1916), p. 356.

small-pox, the excessive use of strong drink, and the mixture of racial elements. Examples of the use of figures to support opposite points of view are frequent; such as those given below.

Miguel Blanco Herrero says:

> The archbishop of Lima in Perú, Fray Jerónimo de Loaisa, took a census of all the dioceses under his jurisdiction, which embraced all of the new dominion [Perú], according to which, in 1551, there were in them 280,000 Indians; and according to the census made two centuries and a half afterwards, in 1793, by the viceroy of Peru proper, Gil Lemus, there were counted six million natives; which proves that, far from the diminishing of the population according to the affirmations of Las Casas, there was an annual increase of about ten per cent.[9]

In a statistical table of the Indian population of Perú from the year 1533 to the year 1911, J. Capelo gives the population of Atahualpa's kingdom in 1533 as 8,000,000 and the census figures of Viceroy Francisco Gil in 1795 as 1,232,122; and he adds this note—"Destroyed almost seven millions of population in two hundred sixty-two years of tyranny."[10]

The common practice of those who defend the Spanish Indian policy is to refer to the benevolent legislation. Antonio de León quotes repeatedly from the decrees. Coroleu says:

> To the impassioned accusations of our slanderers the following answer victoriously: the official documents issued by our monarchs and their Council, the *Recopilación* of the laws of the Indies, the preaching of the friars, and the works of immortal historians who without prejudice or embellishment relate for us the successes which they witnessed.[11]

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9. Miguel Blanco Herrero, *Política de España en Ultramár*, p. 72.
10. J. Capelo, "La Despoblación" in *El Comercio*, July 28, 1911.
11. Coroleu, *op. cit.*, p. 57.

Solórzano's great work[12] is founded largely upon the laws of the Recopilación. In more recent times Viñas y Mey states:

> The spirit of love, of protection and tutelage of the natives of America, which is manifested in a series of institutions, of legal precepts, of methods of action and of government exclusively and especially for the natives, which constitute what we may call the *política indiana:* the Spanish colonial policy, from the exclusive viewpoint of the Indian.[13]

The committee which prepared a two-volume work on social legislation in Latin America for the International Labor Office, found in the Spanish Indian legislation many provisions for the protection of the worker; such as, the establishment of the eight-hour day, the fixing of wages, partial indemnity in case of accident, protection of the women workers, and the prohibition of child labor.[14] All of these beneficent provisions, and many others, may be found in the great mass of decrees and laws of the *Recopilación,* but there is great difference of opinion in regard to their effectiveness. The collection of laws is variously spoken of as "an impressive monument of benevolent intentions," "attempted regulation," and a "mass of groping and seemingly aimless legislation".

One of the most fair-minded views of both Las Casas and the Indian legislation is given by Bourne:

> Las Casas was the Lloyd Garrison of Indian rights; but it is as one-sided to depict the Spanish Indian policy primarily from his pages as it would be to write a history of the negro question exclusively from the files of the *Liberator;* or, after a century of American rule in the Philippines, to judge it solely from the anti-imperialistic tracts of the last few years. That the benevolent legislation of the distant mother-country was not, and probably could not be, wholly enforced will not

12. Juan Solórzano y Pereira, *Política Indiana.*
13. Carmelo Viñas y Mey, *op. cit.,* p. 10.
14. *Legislaciòn Sociàl de América Latina* (1928), I, pp. x-xi.

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> seem strange to those familiar with our experience with federal legislation on the negro question; but that a lofty ideal was raised and maintained is as true of the Indian laws of Spain as of the Fifteenth Amendment.[15]

The present study is not an attempt to settle the controversial questions about the truth of Las Casas' statements, the extent of the depopulation of the Indies, and the accuracy of the account in *Noticias Secretas;* this would be an impossible task, especially within the scope of a master's thesis. It is rather an effort to give a general view of Indian labor in the Spanish colonies, particularly as revealed in the legislation. Although numerous works have been examined, including those already mentioned, the conclusions are based upon evidence found in the laws and the reports of some of the viceroys.

The background for the *encomienda* system can be found in provisions in *Las Siete Partidas* (Alfonso X, 1252-1284) and in ancient laws quoted in the *Recopilación de las leyes de estos reynos* (1640). The far-reaching effects of the Spanish labor system can be traced to modern times in the labor legislation of the Spanish-American republics. One of the best sources of information for the period of the Spanish domination is *Recopilación de leyes de los reynos de las Indias,* a collection of the decrees of the kings and the council of the Indies which were issued from the time of Ferdinand and Isabella (1479-1516) down to the time when the recompilation was put into effect by a royal cédula of Charles II on May 18, 1680. In the first place, the marginal notes which give the names of the kings and the dates of the issuing of the decrees make it possible to trace the development of the labor system and the progress in the legislation. In the second place, definite statements of facts are given in introduction to many of the decrees, as the following quotations will illustrate:

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15. Bourne, *op. cit.*, p. 257.

> In many provinces of the Indies, Indians designated for work in the mines are allotted to persons who do not have them (mines) . . .; we command that the viceroys, presidents, and governors . . . do not consent to this . . .[16]
>
> Some corregidores and their deputies have begun to give orders for the assigning of Indians to merchants and others who travel . . . (the Indians) finding themselves obliged to repeat voyages when they have not returned home from the first, occasioning the death and illness of many; we order . . .[17]
>
> Some encomenderos in order to collect the tributes, which are not due from single Indians until a designated time, make them marry little girls who are not of the legitimate age . . .; we command . . .[18]

In the third place, the decrees given in *Recopilación* deal with almost every phase of the labor problem in the colonies. *Libro* (book) VI is made up of seventeen *títulos* or sections of laws dealing with the freedom of the Indians, the tributes, the rights of the chiefs, the *encomiendas*, personal service, work in the mines, work on the indigo plantations, and the pay to be given those who worked voluntarily. An intensive study of the four hundred and ninety-five "laws" contained in these titulos has revealed the following facts:

1. The distribution of the Indians among the Spanish settlers was definitely authorized by Ferdinand V in 1509, and again by Philip II in 1580.
2. The largest number of decrees was issued during the reign of Philip II (1556-98).
3. There were grave abuses of the Indians.
4. Repeated attempts were made to alleviate the wrongs.

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16. *Recopilación de las Indias*, Lib. VI, Tit. XV, Ley iv.
17. *Ibid*, Lib. VI, Tit. XII, Ley xviii.
18. *Ibid*, Lib. VI, Tit. I, Ley iii.

> In many provinces of the Indies, Indians designated for work in the mines are allotted to persons who do not have them (mines) . . .; we command that the viceroys, presidents, and governors . . . do not consent to this . . .[16]
>
> Some corregidores and their deputies have begun to give orders for the assigning of Indians to merchants and others who travel . . . (the Indians) finding themselves obliged to repeat voyages when they have not returned home from the first, occasioning the death and illness of many; we order . . .[17]
>
> Some encomenderos in order to collect the tributes, which are not due from single Indians until a designated time, make them marry little girls who are not of the legitimate age . . .; we command . . .[18]

In the third place, the decrees given in *Recopilación* deal with almost every phase of the labor problem in the colonies. *Libro* (book) VI is made up of seventeen *títulos* or sections of laws dealing with the freedom of the Indians, the tributes, the rights of the chiefs, the *encomiendas*, personal service, work in the mines, work on the indigo plantations, and the pay to be given those who worked voluntarily. An intensive study of the four hundred and ninety-five "laws" contained in these titulos has revealed the following facts:

1. The distribution of the Indians among the Spanish settlers was definitely authorized by Ferdinand V in 1509, and again by Philip II in 1580.
2. The largest number of decrees was issued during the reign of Philip II (1556-98).
3. There were grave abuses of the Indians.
4. Repeated attempts were made to alleviate the wrongs.

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16. *Recopilación de las Indias*, Lib. VI, Tit. XV, Ley iv.
17. *Ibid*, Lib. VI, Tit. XII, Ley xviii.
18. *Ibid*, Lib. VI, Tit. I, Ley iii.

5. The abuses continued under the *corregidores* (royal officials).

6. In spite of attempts to abolish them, encomiendas continued until 1667. (Later ordinances reveal the facts that Indians were poorly paid and were still being distributed for labor at the opening of the nineteenth century.)

7. The laws were not effectively enforced as shown by the frequent repetition. (One law was repeated ten times at different dates extending from 1550 to 1618.)

CHAPTER I.

ROOTS OF THE ENCOMIENDA SYSTEM

Solórzano defines an encomienda as follows:

> . . . a right conceded by royal favor to the well-deserving of the Indies, to receive and collect for themselves the tributes of the Indians, who should be entrusted to them for life and the life of one heir, according to the law of succession, with the charge of caring for the welfare of the Indians in spiritual and temporal matters, and of residing in and defending the provinces, where they are given them [Indians] in trust, and of doing homage or giving a personal oath for the fulfillment of all this.[1]

Such was the encomienda as provided for by law, but the practice of exacting personal service in lieu of tributes became so common that the idea of forced labor became indelibly associated with the encomienda system. The definition given in the new *Enciclopedia Universal Ilustrada* gives the generally accepted idea:

> Encomienda—A grant of protection or patronage which was given to some person by royal favor over a portion of Indians, to teach them the Christian doctrine and to defend their persons and possessions.

1. Solórzano, *op. cit.*, I, p. 229.

> America—A pueblo which was assigned to an *encomendero* in order that he might collect the tributes and take advantage of the personal services which that pueblo should give to the royal crown. Cuba—A trust, charge, or consignment of a pueblo or portion of Indians which formerly was made by favor to the Spaniards to be used by them for the benefit of that one to whom it was entrusted.[2]

In theory the system was beneficent and had both religious and economic motives. The religious motive of converting the Indians to the Catholic faith is emphasized throughout the laws, but the economic motive of securing a cheap labor supply for maintaining the colonists and increasing their wealth was uppermost in the minds of the *encomenderos* (holders of encomiendas). The Spaniards came for gold, the kings demanded tribute, and the class of colonists who came to the Indies could not or would not work with their hands; therefore, Indian labor was necessary for the very existence of the colonies. Although the economic necessity was an immediate cause of the system of forced labor, the influences which determined the distinctive features of the system existed long before the time of Columbus.

The prologue to the report prepared for the International Labor Office gives "the evolution of the conditions of work in America" from the viewpoint of such writers as Unsain, Suárez, and Viñas y Mey. The attention of investigators is called to the "perfect communism" in the empire of the Incas of Peru and corresponding features of the labor system of the Aztecs of Mexico. The "mita" is described as a type of personal service known to the natives before the coming of the Spaniards. "The mita existed for work in the mines, in the fields, for the construction of public buildings, roads, domestic service, etc. Under the Spanish regime the mita was retained, but only for productive functions of public character, and the work was

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2. *Enciclopedia Universial Illustrada Europeo-Americana,* Espasa-Calpe (ed.), Barcelona (1926-1929), XIX, p. 1187.

remunerative and temporary."[3] The prologue goes so far as to state:

> Various historians and investigators affirm that the native chiefs themselves were the ones who solicited from the government of Spain the right to work in the mines, and that the crown consented because of the economic situation.[4]

It is probably true that the Spaniards adapted the Inca system of group labor to meet their own needs and that certain Indian words were used to designate special types of service. The term *mita* was used especially in Peru where the Incas were familiar with its meaning, but the practice which it represented was not peculiar to that colony. No doubt the name *Yanacona* (a certain type of domestic servant) came from the Indian word *Yana-cuna* applied to the people of a disloyal tribe who were reduced to servitude.[5] On the other hand, Columbus had made two allotments of Indians to his followers before Cortés conquered Mexico and before Pizarro came into contact with the civilization of the Incas. It is necessary, therefore, to look elsewhere for the roots of the encomienda system.

The practice of allotting land to conquerors as a reward for their services was an ancient one. During the period of Roman domination in Spain (206 B. C.-409 A. D.), Rome sent armies into the peninsula and also laborers to work in the mines. Lands were allotted to veteran soldiers.[6] According to Chapman "the greatest single fact in the history of Spain was the long Roman occupation, lasting more than six centuries. All that Spain is or has done in the world can be traced in greatest measure to the Latin civilization which the organizing genius of Rome was able to graft upon her."[7] Beard adds: "In fact, Spain followed closely the example of Rome, mother of her civilization, when she sent forth military chieftains to conquer, enslave, rule and

3. *Legislación Social de América Latina*, p. ix.
4. *Ibid.*
5. Sir Clements Markham, *The Incas of Perú*, pp. 163-164.
6. Charles E. Chapman, *A History of Spain*, p. 19.
7. Chapman, *op. cit.*, p. 15.

exploit."[8] When the Moslems over-ran the peninsula in the eighth century, a fifth of the confiscated land was taken by the state and the rest was distributed among soldiers and chiefs in the Moslem armies. The emirs, in order to reward the services of war, distributed great tracts of land to soldiers, conceding to them the part of the harvest which the state was entitled to receive.[9] Mariana in telling about the great holdings of the Order of Calatrava (1164) speaks of "encomiendas which were anciently given to old soldiers of that order, in order that the rents might sustain them in honest living."[10] When Jaime I of Aragon conquered the island of Majorca (1229), he distributed land among his Catalán followers. The same was done in Minorca (1232), Ibiza, and the kingdom of Valencia. Although there was no real feudal organization in León and Castile, the kings ceded to the nobles, as rewards for services in war, lands populated by servant cultivators. As the Christians pushed back the Moslems and gradually gained control of the entire peninsula, the confiscated lands were distributed among those who helped in the conquest. The term encomienda was applied to special grants as early as the fourteenth century. A law dated 1380 states that no one except the king may hold encomiendas in abbatials, and another one of the same year forbids the holding of cities or villages in encomienda, because of these the king is the only *comendero*.[12] A law of 1390 prohibits the holding of monasteries in encomienda.[13]

The word encomienda had a connotation of personal service because of the ancient custom of "commendation" by which a poor man commended himself to a nobleman with the promise to give service in return for protection and

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8. Charles A. Beard and Mary R. Beard, *The Rise of American Civilization*, I, p. 8.
9. Altamira y Crevea, *Historia de Españn y de la Civilización Española*, I, p. 264.
10. Ivan de Mariana, *Historia General de España* (Madrid, 1678), I, 376.
11. *Recopilación de las leyes de estos reynos* (1640), Lib I, Tit. VI, Ley vi.
12. *Ibid.*, Lib. I, Tit. VI, Ley viii.
13. *Ibid.*, Lib. I, Tit. VI, Ley vii.

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13. *Ibid.*, Lib. I, Tit. VI, Ley vii.

sustenance.[14] Free labor was associated with the grants of land which were given by kings. Among the early peoples of Spain, before 206 B. C., there were serfs, the property of the state, who were dedicated by overlords to the cultivation of the fields, to work in the mines, to domestic service, to industry, and to minor administrative duties.[15] Under the Romans there were *colonos*, laborers who cultivated the fields for others and who could not abandon the land. In Visigothic Spain (409-713) there were few people completely free; during Moslem rule state holdings were reallotted to Spanish serfs; and later the conquered Moslems were forced to labor for Christian overlords.

Two types of feudalism existed in Spain during the Middle Ages; the traditional type introduced into Aragon, Navarra, and Catalonia from France, and that of Leon and Castile where nobles were less independent of the rulers. In Aragon there was an excessively privileged feudal nobility, who had despotic power over the servile classes. Chapman states that as late as the period, 1516-1700, in Aragon, the lords "still possessed seigniorial authority, accompanied by the irksome incidents of serfdom; required personal service; collected tributes of medieval character; exercised paternal authority; and had power of life and death."[16] In Leon and Castile there was "much of feudalism without a real feudal system." Ownership of land was granted unreservedly, but the rights of sovereignty were usually retained by the king. After the middle of the thirteenth century, there was a development toward national unity and centralization of power. Throughout the peninsula the power of the nobles declined with the rise of a middle class and the growth of cities, but in Aragon feudalism continued, in a modified form, down to the opening of the era of discovery. With the marriage of Ferdinand of Aragon and Isabella of Castile in 1479, the influences of the

14. Ephraim Emerton, *An Introduction to the Study of the Middle Ages*, pp. 251-252.

15. Altamira, *op. cit.*, I, pp. 68-69.

16. Chapman, *op. cit.*, p. 273.

two kingdoms blended in the development of the Spanish nation. Castile, however, had the stronger influence upon the American colonies because the early settlers were drawn mostly from that province. For this reason we find in the encomienda system many of the characteristics of the semi-feudalism of Leon and Castile.

According to Altamira the elements of feudalism of other countries of Europe were: donation of land made by the king to a noble in payment for services or with compact of military service; establishment of fidelity between vassal and lord; irrevocability of the donation, which was given as hereditary property of the former with the reservation of certain rights to the lord; recognition in the vassal of all rights of jurisdictional sovereignty over the land which he received, thus confusing the private possession of the soil with political power over the inhabitants of the land. He states that feudalism in this form never existed in Leon and Castile; there was not the concept of *soldado* nor was the grant conditioned on military service except in rare cases. The king made the donation in property absolute but without the grant of sovereignty. At times the power of judging freely was given but by special favor, and then it was limited; no prison was permitted in the holding, and serfs could appeal to the king.[17] It is interesting to compare this system with that which existed in the Spanish colonies.

Althought the grants were not conditioned upon stipulated terms of military service, there was an obligation to defend the king, both in Castile and in the colonies. Some of the provisions of *Las Siete Partidas,* a collection of regulations prepared under the direction of Alfonso X (1252-1284), are as follows:

> As soon as the new king begins to reign or at the latest within thirty days, there should come to him all those who have castles in their power by donation of other kings, to do him homage for

17. Altamira, *op. cit.*, I, pp. 313-314.

> them; but if there should be some hindrance to their coming in the above said time, they ought to have another nine days. And after one, thus there would be in all forty days; and the homage which they must do for these castles is that they make war and peace at his command, that they receive him in them when he should wish to enter there, and that his money be current there . . .; those who maliciously should not wish to come to do homage or to fulfill their obligations to the king for these castles, as abovesaid, they may be taken away from him and never given back afterwards.[18]
> . . . those who hold them [castles] in hereditary right ought to have them cultivated and furnished with men of arms . . . there should not come any harm to the king or to the kingdom.[19]

Solar gives an encomienda oath found in the archives of the Cerda family:

> Oath of don Alonso Campofiro de Carvajal on taking possession of the encomienda of Ligua.
>
> In the city of Santiago de Chile, October 8, 1638, Before me, the scribe of His Majesty and of the government, there appeared the *maestro de campo,* don Alonso Campofiro y Carvajal, and swore to God and the cross, in the form of the law, and did homage according to the *fuero* of Spain to be a faithful and loyal vassal to the king our lord and his successors in these and the rest of his dominions, and to place himself under the royal standard at all times that he might be called and to defend it even to losing his life, doing all that a good and loyal vassal of His Majesty is obligated, under penalty . . . of losing his encomienda; and at the conclusion of said oath he said "I swear, and amen"; of which I give faith. Before me—Domingo Garcia Corvalan.[20]

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18. *Las Siete Partidas,* Segunda Partida, Tit. XIII, Ley xxii.
19. *Ibid.,* Tit. XVIII, Ley i.
20. Domingo Amunátegui Solar, *Las Encomiendas de Indíjenas en Chile,* I, p. 70.

In the *Recopilación de las Indias* are found these provisions:

> Also we make a favor to the encomenderos of the rents which they enjoy in encomienda for the defense of the land, and for this cause we command them to have arms and horses, and in greater number those who enjoy the largest grants; and thus it is our will, and we command that when there be offered occasions for war, the viceroys, audiencias, and governors shall compel them to go out to the defense at their own expense, distributing it [the expense] in such a way that some may not be burdened more than others and all may serve; . . . and if the encomenderos should not get ready, or should not want to go to the defense of the land, when occasion offers, they should take away the Indians and impose the penalties for what they have committed, for having failed in their obligation.[21]
>
> Within four months .... computed from the day when the encomenderos receive the *cédula* of confirmation of the encomienda, they shall be obliged to have and must have horse, lance, sword, and other offensive and defensive arms . . . on pain of suspension of the Indians which they have in trust.[22]

As in Castile rights of sovereignty were retained by the king and the serfs had the right of appeal to the king, so in the colonies there were protectors of the Indians who were to guard against abuses and to report directly to the king and the council of the Indies. *Las Siete Partidas* mention domains given by the king in hereditary right and others given in tenure.[23] Most of the encomiendas in the colonies were granted for one life and the life of one heir, but often the right was extended to three or four lives. Some of the encomiendas were incorporated in the royal crown and were administered by royal officials called *corregidores*. The feudal lords were under obligation to protect

21. *Recopilación*, Lib., VI, Tit IX, Ley iv.
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their vassals, and the encomenderos were admonished to indoctrinate and defend the Indians and to protect them in their persons and property.[24]

The system of subinfeudation did not exist in León and Castile as it did in France and other parts of western Europe. Only certain classes of persons were entitled to give fiefs, according to Las Siete Partidas: kings, *grandes, señores,* archbishops, bishops and prelates.[25] Certain restrictions were placed upon the right of lords to dispose of their fiefs; one law states that "according to an ancient *fuero* of Spain, if they should wish to sell or change holdings they ought first to let the king know."[26] The obligations to the king were emphasized, and the king was considered the "greater lord." The ruler had the power to expel *ricos hombres* (highest class of nobles) from the country.[27] Although the compilation of *Las Siete Partidas* was an attempt on the part of Alfonso X to strengthen the position of the king and is not a body of enforced law, it does reflect the tendency to limit the power of the nobles. Throughout the later *Recopilación* of the laws of the kingdom the same effort to centralize power may be traced. As Merriman expresses it, "Castile yielded to the current that pushed the world toward feudalism, indeed, but did not abandon herself to it."[28]

In the Spanish colonies of the New World the distribution of lands and portions of Indians to settlers was early authorized. The encomenderos were required to take an oath and to render military service when called, according to old feudal customs. They collected tributes and required all kinds of service of those who were entrusted to them, but their powers were restricted as were those of the feudal lords of Castile. Only certain officials *(adelantado,* gover-

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24. *Recopilación,* Lib. VI, Tit. IX, Ley i.
25. *Las Siete Partidas,* Cuarta Partida, Tit. XXVI, Ley iii.
26. *Ibid.,* Segunda Partida, Tit. XVIII, Ley i.
27. *Ibid.,* Cuarta Partida, Tit. XXV, Ley x.
28. Roger Bigelow Merriman, *The Rise of the Spanish Empire in the Old World and in the New,* I, p. 172.

nor, *pacificador*[29]) had the privilege of making the allotments. The Indians were considered as vassals of the sovereigns, and at first the encomiendas were granted for only one life. Later the law of succession extended the grants to the life of one heir,[30] and in New Spain the extension to the third and fourth life was authorized until the year 1607.[31] The encomiendas which were left vacant reverted to the royal crown. Isabella ordered Columbus to free the Indian slaves whom he took to Spain because no one had a right to dispose of her vassals. Allotments of Indians could not be given to foreigners,[32] and they could not be transferred by donation, sale, or renunciation.[33]

The encomienda system became such a powerful factor in every phase of the life of the colonists that it may be likened to a great vine with its roots deep in feudalism, its branches intertwining the whole structure of colonial life, its vitality resisting repeated efforts to uproot it, and its tendrils clinging even to the fragments after the Spanish empire had been broken up into many independent republics.

CHAPTER II.

THE SPREAD OF THE SYSTEM

There is general agreement upon the point of the beginning of the encomienda system in the New World by Columbus. In order to encourage settlements, the Catholic kings gave Columbus the right to distribute grants of land and to induce his followers to build houses, raise herds, and plant crops. Antonio de León states that he assigned three hundred Indians to the early colonists on the island of Española.[1] Columbus attempted to start a regular slave

29. *Recopilación*, Lib. VI, Tit. VIII, Ley i.
30. *Ibid.*, Lib. VI, Tit. XI, Ley i.
31. *Ibid.*, Lib. VI, Tit. XI, Ley xiv.
32. *Ibid.*, Lib. VI, Tit. Ley xiv; *Las Siete Partidas*, Segunda Partida, Tit. XVIII, Ley i.
33. *Recopilación*, Lib. VI, Tit. VIII, Ley xvi.
1. Antonio de León, *op. cit.*, p. 2, reverse.

trade in order to defray expenses of further expeditions, but he met with opposition from the queen. When he returned to Spain from his first voyage, he left thirty-nine colonists under Diego de Arana with the request for a ton of gold on his return and spices to bear the expenses for the conquest of Jerusalem. This colony was destroyed by a Carib chief.[2] On his second voyage "Columbus spent some months in subduing the entire island [Española]; he imposed upon every Indian from fourteen years up, and upon those who inhabited the places where the gold was found, the obligation of bringing each three months the quantity [of gold]necessary to fill a falcon bell. Those of the other districts were obliged to give twenty-five pounds of cotton. The hardship which this payment of tribute imposed upon the Indians was an evil intolerable to men unaccustomed to work; they retired to the mountains, hoping that their enemies would perish from hunger; but they were the first victims, for while the Spaniards received help from Europe they could not depend upon the least help in combating hunger and disease. More than one third of them perished."[3] Columbus left a small colony in charge of his brother Bartholomew who imposed new tributes during his absence. On his return in 1498, Columbus found the colony on the verge of civil war because of the discontent of the colonists and the treacherous activities of Francisco Roldán, president of the court of justice. When peace was restored, the admiral appeased the insurgents by granting to each one a tract of land and a certain number of Indians to till it.[4] According to Antonio de León this was the second distribution of Indians. Roldán was unscrupulous in his dealings with Columbus as well as with the Indians. Complaints about Columbus began to reach the king and queen, and in 1500 Francisco de Bobadilla was sent to examine his conduct. He was sent to Spain

2. James Rodway, *The West Indies and the Spanish Main*, p. 11.

3. Orestes L. Tornero, *Historia General de América desde la conquista hasta nuestros dias*, p. 77.

4. *Ibid.*, p. 80.

in chains, and although he was soon set free, he was kept in Spain on different pretexts. Bobadilla made the slavery of the Indians more galling, and forced them to work on the lands and in the mines.

According to the *Enciclopedia Universal,* the first authorization for the distribution of lands in the New World was a *carta patenta* of July 22, 1497, which authorized the *repartos* (distributions) of land among the Spaniards, commanding the *cacique* (chief) . . . or his people to cultivate them, yet protecting the Indians.[5] The allotments of land were usually called *repartimientos* from the word *repartir* meaning to distribute. The first decree issued in regard to the grants in the New World was made by Ferdinand V in Valladolid on August 14 and November 12, 1509:

> The land being pacified, let the governor distribute *(repartir)* the Indians of it.[6]

The term *encomienda* was commonly used to designate the portions of Indians allotted because of the wording of the formula for the patent which was to accompany the assignments:

> To you, so and so, are given in trust [*se . . . encomiendan*] so many Indians with a chief and you are to teach them the things of our Holy Catholic faith.[7]

León states that the two terms were used without distinction in Peru but that the word encomienda was more commonly used in New Spain (Mexico) because of a special meaning attached to repartimiento in that province. In New Spain the expression repartimiento was applied to the weekly allotments of Indians for work in the mines and on farms. The pueblos contributed workers for twenty weeks in the year; either the *dobla,* ten Indians for each hundred, or the *sencilla,* two Indians for each hundred.

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5. *Enciclopedia Universal Ilustrada,* XIX, p. 1189.
6. *Recopilación,* Lib. VI, Tit. VIII, Ley i.
7. *Enciclopedia Universal Ilustrada,* XIX, p. 1189.

The common apportionment for work in the mines was four Indians for each one hundred.[8]

Nicolás Ovando was named governor of Española and arrived on April 15, 1502, with fifteen hundred persons.[9] In obedience to instructions from Queen Isabella, Ovando declared the Indians free and prohibited "the requiring of any service without just compensation and moreover restrained the excesses of the Spaniards."[10] Under this new governor the colony gradually acquired the character of regular and flourishing society, but the laws which prohibited the forced labor of the Indians caused some retrogression in agriculture.." "The Indians who considered leisure as the greatest of good benefits refused every kind of recompense in exchange for their work; and then the Spaniards, seeing themselves scarce of hands to explore the mines and to work in the fields, began to complain of the excessive duty which they paid to the crown, which was half of the product of the mines. Deprived of the Indians, without whom they could do nothing, the first colonists abandoned the island; those who came with Ovando were attacked by the diseases of the climate in such manner that in a short time more than a thousand succumbed."[11] There was a wave of suicide among the Indians and many fled to the mountains. In order to save the colony from almost certain ruin, Ovando resolved to make a new distribution of Indians, obliging them to work for a certain salary. The Indians, who had been accustomed to liberty for a time, made attempts to recover their independence. The rebellions were suppressed by use of arms, the natives were treated as rebellious slaves, the chiefs were condemned, and many acts of treachery were committed. The Indians did not forget the cruel treatment, and the war of extermination was partly responsible for the depopulation of the island.

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8. Antonio de León, *op. cit.*, p. 5, reverse.
9. Otto Schoenrich, *Santo Domingo, a Country with a Future*, p. 13.
10. Tornero, *op. cit.*, p. 85.
11. *Ibid.*, p. 89.

When Ovando received notice of the death of Queen Isabella, who was considered to be the jealous protector of the Indians, he "distributed the Indians among his companions as if they were so many head of cattle. Ferdinand made concessions of the same sort to his courtiers; but as the latter could not make use of them, they transferred them to the colonists. In this manner the exploitation of the mines increased so rapidly and with such good success that there entered into the royal coffers 480,000 pesos in gold as product from the fifth, from Española alone . . ."[12] The Indians were dying in such great numbers that the colony was threatened with ruin. In order to furnish a new labor supply, Ovando transported the inhabitants of the Lucayas (Bahamas) to the home of their ancestors and the new home was pictured to them in such glowing colors that they went eagerly. To quote Tornero again, "40,000 of these unhappy ones went to participate in the sufferings of the inhabitants of the island and to mingle their tears and their groans with those of that unfortunate race."[13]

After Columbus' death in 1506 his son took up the fight for recognition, but he was shamefully treated by Ferdinand. Finally he sent a memorial to the council of the Indies, which had been established by this time, and in consequence was made hereditary viceroy and high admiral of the Indies. Diego Columbus assumed his duties in Española in 1508 or 1509. He possessed the necessary qualities to govern well, but he was hindered by the suspicious policy of Ferdinand, who little by little took from him the greater part of his privileges. The most important prerogative of the governor was the power to distribute the Indians. For this work Ferdinand created a new office, *juez repartidor*, and gave it to Rodrigo de Alburquerque. Columbus recognized the affront; abandoned the country, where his authority was scarcely recognized; and went to Europe with the vain hope of obtaining justice (1517). Alburquerque began

12. Tornero, *op. cit.*, p. 90, et seq.
13. *Ibid.*, p. 92.

to exercise his new right with the capacity of an adventurer. He made a new distribution of 14,000 Indians; there were no more in Española at that time.[14] Large numbers were granted to absentees. According to a report made by Alburquerque the actual number of Indians granted to absentees was 5,250, of whom 1,430 were granted to the crown. Ferdinand continued to ask for more gold, and the Indians were forced to work in the mines. This work was more destructive than the work in the fields, and the number of Indians was rapidly diminishing.[15] The colonists were encouraged by the king to import natives from the other islands and South America. Various orders were made for the protection of the Indians, and attempts at reform were made through the influence of Las Casas and other Dominicans. The only result of these orders was a change of masters, for the Indians were exploited by the priests and officers of the crown to whom they were entrusted. By 1520 the mine-owners and planters were employing negro slaves.

Diego Columbus returned to the colony as governor in 1520, but after a few years quarreled with the *audiencia*, returned to Spain, and died in 1526. The new governor, Ramírez de Fuenleal, was appointed as president of the royal court as well as governor. He succeeded in making a treaty with the leader of an Indian uprising. According to Schoenrich, "by this treaty the Indians, now reduced to not more than 4,000 in number, were freed from slavery and assigned lands in Boya, in the mountains to the northeast of Santo Domingo City. From this time forward there is no further mention of the Indians in the island's history; they disappeared completely by dying out and by assimilation."[16]

This last statement is not entirely accurate, but there are few traces of native Indians after the date of the treaty, 1533. The encomienda system, however, lasted in Española as long as there were any Indians to be distributed.

14. Antonio de León, *op. cit.*, p. 3, reverse
15. Schoenrich, *op. cit.*, p. 18.
16. Schoenrich, *op. cit.*, p. 20.

Keller states that "in 1548 it was doubtful if five hundred natives of pure stock remained, and in 1570 only two villages of the Indians were left."[17]

The *Enciclopedia Universal* makes the following statement:

> Eighty years after the arrival of Columbus, in 1572, there were in the island ten settlements of Spaniards with a total number of one thousand *vecinos* [resident landholders]. These were served by natives who still remained, for whom to serve and to die came to be the same thing. There was also an archbishop and a bishop. The population had been augmented by 13,000 negroes whom they tried to substitute for the almost extinguished native race, of whom only two small settlements remained, totalling some one hundred individuals . . . Juan López de Velasco wrote in 1571-1574 that each day the *vecinos* of the recently founded settlements were growing less, "because after the other provinces were discovered people were reluctant to stop in these, because they could not take out gold for lack of Indians. The merchandise passes them by, so they live poor and miserable. There were in these islands at the beginning of the discovery, many Indians . . . in all they are already extinguished, and so there are no repartimientos of them . . ."[18]

Antonio de León (1629), in giving a list of the officials who had the power to grant encomiendas, states that the governors of Santo Domingo (Española) had the power, but "for many years there have been no Indians on whom to exercise it, and so it is a useless right, for it never can be reduced to action."[19]

The encomienda system, having become firmly intrenched in Española, the first of the settlements, soon spread to the other colonies. The island of Jamaica was discovered by Columbus in 1494, but no effort was made to colonize it until about 1509. The first governor, Juan de

17. Albert Galloway Keller, *Colonization*, p. 266.
18. *Enciclopedia Universal Ilustrada*, LIV, p. 375.
19. Antonio de León, *op. cit.*, p. 40.

Esquivel, was a man of kind and generous heart; and under his rule "the yoke of subjection sat light and easy on the natives of Jamaica." He brought the natives to submission without the effusion of blood; they labored in planting cotton and raising other commodities which yielded great profit.[20] Esquivel continued in office only a few years and was succeeded by governors of a very different character. After some revolts of the Indians, Diego Columbus himself came to Jamaica. In 1545 the island was given in perpetual sovereignty to Don Lewis, the son of Diego, as a hereditary fief of the crown (Charles V). Later Don Lewis's sister, Isabella, became sole heiress of the Columbus family, and through her the rights were transferred to the Braganza family, in which family they remained until 1640. In that year the rights reverted to the crown. In 1596 the first invasion was made by the England, and in 1655 the island was captured by an expedition sent by Cromwell.

During the century and a half of Spanish rule, only a hundredth part of the arable land on the island was cultivated. Little actual information can be found about the encomienda system on the island, but there is no doubt about the exploitation of the Indians because they were exterminated within a short time. León states that the right of encomienda existed, and to the extent of a third life. According to Edwards, the native population to "the number of 60,000 on the most moderate estimate, were at length wholly cut off and exterminated by the Spaniards, not a single descendant of either sex being alive when the English took the island in 1655, or, I believe, for a century before."[21] The *Enciclopedia Universal* corroborates this by stating that in 1560 the native population was almost totally extinguished.

The island of Cuba, after its discovery by Columbus on his first voyage, attracted the attention of the king because it appeared rich. Experience in Española had taught

20. Bryan Edwards, *The History, Civil and Commercial, of the British Colonies in the West Indies,* I, pp. 161-164

21. *Ibid.*, p. 169, et. seq.

the Spanish monarch that it was necessary to retain the Indians to work in the mines if any gold was to be secured; consequently, he insisted upon kindness to the natives of Cuba. In 1510 an expedition was organized under Diego de Velásquez to find out about gold on the island. Velásquez made a good report, and he was named lieutenant-governor with almost absolute authority except that he did not have the power to distribute natives among the settlers. From 1512-13 the Spaniards swarmed to Cuba in the hopes of having assignments of Indians to work in the mines and fields. When Velásquez did not give them encomiendas, they became so dissatisfied that there was great civil disorder.

After a rebellion among the Indians and much difficulty with his men, Velásquez finally decided to give the native Cubeños in repartimiento. He was very cautious at first because he had no authority. He gave the Indians for one month only and stated that they should be paid at the end of the month and returned to their homes. He appointed supervisors and personally attempted to oversee the encomiendas. Later the king approved of all that Velásquez had done and named him as *repartidor* to distribute the Indians to settlers. In a cédula dated May 13, 1513, Ferdinand gave the following instructions to Velásquez:

> I entrust and commit the said distribution to you, . . . and I therefore command you that as soon as you are shown this letter you are to inform yourself as to . . . what peaceful caciques and Indians there are in the said island of Cuba, so that they may be used by and distributed among the residents and settlers there. When you have obtained this information, you will make the said distribution according to your best judgment, first taking care of such officers of ours as may be there now or will come in the future, and then the first settlers and discoverers of the said island, and then those who have cédulas from us for the grants of Indians, . . . and then those who you think are most deserving of the said Indians, . . . and who will

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> best instruct them in matters of the Holy Catholic Faith and will give them the best treatment for the conservation of their lives and health . . .[22]

Velásquez did take care of the king's officers first; he granted two hundred head to Cuellar, the king's treasurer, and gave choice allotments to himself and his relatives. Among other settlers Las Casas was granted a repartimiento by Velásquez. The number of Indians decreased so rapidly under the irksomeness of the toil that soon expeditions went out to bring in Indians from other islands. In 1515 Narváez and Velásquez took to the king 12,437 pesos in gold as the crown's fifth, and carried with them a petition from the settlers asking that the Cubeños be given in perpetuity, that earliest settlers be preferred, that a cacique be provided for each village, and that no encomienda be granted to a non-resident. Fortunately Las Casas reached the king first, as he had by this time been converted to the humane ideas of the Dominicans and had given up his encomienda. Through the efforts of Las Casas and others the Jeronymites had been selected to administer affairs in the Indies, especially Española. In response to the petition, Velásquez was referred to the Jeronymites.

The Jeronymites were unable to accomplish much for the alleviation of the suffering of the Indians, and the allotments continued. In 1526 Gonzalo de Guzmán was made *repartidor* as governor. A severe epidemic of small-pox swept the island, and the Cubeños whom war and disease left alive were at the mercy of Guzmán. Later Fray Miguel Ramírez was named protector of the Indians and bishop of Cuba with instruction to investigate charges of mistreatment of the Indians, to regulate employment in the mines, and to carry out an experiment of trying the Indians in self-government. Bishop Ramírez and Governor Guzmán tried the experiment for a month and reported that the Indians were not capable of maintaining themselves in freedom. Manuel de Rojas, who became lieutenant in Cuba in

22. General cédula of Ferdinand, May 13, 1513, in D. I. I., XI, pp. 331-33, taken from Simpson, *op. cit.*, p. 56.

1532, suggested humane policies and was much interested in an experiment village. He finally reported that he believed that the Indians would not accomplish anything unless compelled to work and suggested that it would be wiser to commend them to some resident with the provision that if they asked for freedom it should be granted them for a year. The Indian was to remain free if capable of it; if he did not prove himself competent, he was to be "recommended." Guzmán returned to Cuba in 1535, and Rojas gave up the governorship to him. De Soto was made governor in 1538, but he was more interested in explorations than in Indians.

On August 14, 1543, the crown appointed Juanes de Ávila to be governor of Cuba. The crown was again trying to free the Cubeños from the repartimiento system, and a cédula was sent to Santiago forbidding the use of natives in mining. This order however was not enforced because the settlers argued that it would cause discord. Juanes de Ávila was "equipped with 'judicious' cédulas; Indian slaves taken by force elsewhere and sold in Cuba were to be returned to their native habitats; to hold or to import such slaves was made illegal; governor and bishop were once more declared ineligible to hold encomiendas; individual colonists were not to be deprived of their encomiendas but these ceased to be heritable; Cubeños held by negligent and unworthy Spaniards were to be released from service at once; natives were not to be forced to do work they did not choose to do, except in case of necessity and then for a proper wage."[23] These provisions called forth a storm of protest and Ávila failed to execute them. Subsequent attempts were made to improve the conditions of the Indians, but none were effective until Dr. Angulo arrived in 1549 as governor. On arriving, Governor Angulo proclaimed the "entire liberty" of the Cubeños. Miss Wright states that this pronouncement seems to have had effect because in 1556 Angulo's successor said that he found the Cubeños living wretchedly, abandoned to the

23. Irene A. Wright, *The Early History of Cuba, 1492-1586*, p. 170.

wilderness. The Cubeño soon ceased to exist as a factor in the life of the colony. Edwards states:

> There is said to exist on the south side of the island of Cuba, at this day [1801] a small remnant of the ancient Indians. They reside in a little town near St.Jago de Cuba, Iwanee, and have adopted the manners and language of the Spaniards.[24]

The island of Porto Rico was discovered by Columbus on his second voyage in 1493. In April, 1505, Vicente Yáñez Pinzón was given a patent to explore the island, which had been almost forgotten. The colonists were to remain for five years on contract, and the land and natives were to be apportioned among them. The title to the land was to remain in the crown; one-fifth of all profits were to accrue to the crown. Nothing seems to have come of this. In 1508 Juan Ponce de León was given permission to explore the island. At first the Indians were kept tranquil, living with the Spaniards and helping them in their settlements, mines, and plantations; but the governor, following the method which was observed on the island of Santo Domingo, decided to *repartir* the Indians in encomiendas. The Indians resented the distribution and would have annihilated the Spaniards except for the superstitious belief that they were not mortal. After one of the Spaniards had been held under water until he stopped breathing, then left on the river bank, and they found that he did not return to life, the Indians rose in revolt. It was necessary for Ponce de León to seek aid from Española. Finally the Indians were sent back to the mines.

Cerrón and Díaz, the governors sent by Diego Columbus, gave to each hospital which had been established, one hundred Indians in encomienda. The king ordered that they should treat the Indians well, that the encomenderos should give food, clothing, and lodging to the Indians entrusted to them. After the establishment of the regular encomienda system and the forcing of the Indians to work

24. Edwards, *op. cit.*, p. 170, note.

in the mines, the population rapidly decreased. The number of estates increased and a good commerce was started in pelts, cotton, ginger, indigo, and other products. There were difficulties over the distributions. Later the king sent Juan Ponce de León to build a fort for protection against the warlike Caribs, and at the same time gave him the office of *repartidor*. He was instructed not to give more than one hundred fifty Indians to each resident landholder.[25] Ponce de León, under the pretext of vindicating the injustices done by his predecessors, showed in the new distribution favoritism to his friends and soldiers. Vandalism and partialities were renewed and there was constant discord among the encomenderos. The many changes in government and the civil wars caused much suffering and bloodshed on the island. During these years the Indians were the victims of greed, ambition, and jealousies; then came a plague of ants which almost devoured the vegetation. Epidemics of smallpox and syphilis swept over the island. There were so few natives left by the time the New Laws were issued in 1542, that one provision was that the Indians of Porto Rico, Cuba, and Española were to be relieved of all tributes and services so that they might multiply. By 1574 Juan López de Velasco reported that there were no Indians left on the island of Porto Rico to be granted in encomienda.[26] In 1775 the historian Fray Iñigo Abad gave the population as 70,250, of which more than 6,000 were slaves who had been imported to replace the natives. Nearly all of the smaller islands of the Caribbean were depopulated by transporting their inhabitants to replace the Indians destroyed on the islands of Española, Jamaica, Cuba, and Porto Rico.

The disastrous effects of the encomienda system were well known before the mainland was settled by the Spaniards. When Fernando Cortés went to Mexico in 1519, he was resolved not to distribute the Indians. The soldiers and settlers demanded some recompense for their hardships,

25. Antonio Valladares de Sotomayor, *Historia, geográfica, civil, y política de la isla de San Juan Bautista de Puerto Rico*, p. 86.

26. Juan López de Velasco, *Geografía y descripción universal de las Indias*, p. 126.

and Cortés finally yielded to them and granted encomiendas. By this time Las Casas and other Dominicans were bringing pressure to bear upon the monarch. In 1523 Charles V called a meeting of lawyers and theologians to consider the question of encomiendas. As a result of this meeting an order was issued to Cortés which read as follows:

> Since God our Lord created the Indians free and not subject, it seems that we with good consciences cannot command them to *encomendar* or make distribution of them to Christians, and thus it is our will that it be done.[27]

Cortés found the order against the will of the conquerors, and since some grants had already been made, he did not publish the order and continued to give encomiendas in trust until the king should command differently. He wrote a long memorial to Charles V, explaining how it would cause the ruin of the colony to take away the encomiendas. Luís Ponce de León was sent to take *residencia* (investigation) of Cortés and to confer about encomiendas. Many *juntas* were held, but the encomiendas were not discontinued. The royal audiencia of New Spain decided that the distribution should continue among conquerors and first settlers, but no one was to receive more than three hundred Indians. In New Spain (Mexico) the practice was started of extending the succession to the third and fourth life. In 1555 Charles V authorized this practice until the year 1607 because of the need of some of the descendants of the conquerors,[28] and in 1607 the law was repeated by Philip III. López de Velasco states that, by the year 1574, there were from 5,600 to 5,700 settlements of Indians with 800,000 tributary Indians, not including children, women, and old men not paying tribute. There were three thousand *repartimientos;* 1,500 under the royal crown, and 1,500 private.[29] León (1629) reports that Diego Velásquez granted encomiendas against what he was ordered, and that the viceroys of New Spain did not have

27. Antonio de León, *op. cit.*, p. 4.
28. *Recopilación*, Lib. VI. Tit., XI, Ley xiv.
29. López de Velasco, *op. cit.*, p. 91.

the power of granting them. The captain-general of Yucatán was the only one in all New Spain who rightfully had this power, except that the president of the audiencia of Galicia held the power by special cédulas from the king.

The encomienda system was introduced into Peru by Francisco Pizarro, who carried with him an order to distribute the land among the conquerors. In 1540, a distribution was made of all of the land which had been discovered and pacified up to that time.[30] According to León the right to pass on an encomienda to a legitimate heir originated in Peru. He claims that before the discovery of Peru the encomiendas were individual grants from the king for services and could not be claimed by an heir unless a new grant were made. The right of inheritance for a second life was sanctioned by Charles V by what is known as the Law of Succession.[31] The use of the Indians for work in the mines of Peru will be discussed in a later chapter. From Peru proper, encomiendas were introduced into the other parts of the viceroyalty of Peru. By 1574 there were more than two thousand encomenderos in the viceroyalty.[32]

Antonio de León, who as narrator for the council of the Indies was in a position to get official information, gives a summary of the encomienda system as it was in 1628. He states that there were two viceroyalties (Peru and New Spain), eleven audiencias, nine presidencies, and twenty-seven provinces ruled by governors.[33] In Chapter VII of Part I he gives the following information about the *facultad* (right or power) to grant encomiendas in the American colonies:

Viceroyalty of Peru.

(Viceroys as successors of Pizarro have power to grant encomiendas.)

I. Audiencia of Charcas.

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30. Antonio de León, *op. cit.*, p. 34.
31. *Recopilación*, Lib. VI, Tit. XI, Ley i.
32. López de Velasco, *op. cit.*, p. 337.
33. Antonio de León, *op. cit.*, p. 32, reverse.

1. Tucumán.
   It was discovered by Francisco de Villagrá by order of the governor of Chile, Pedro de Valdivia, and was at first under the governor of Chile. Later it was under the viceroy of Perú. Right to grant encomiendas was given to encourage new discoveries. Governors have used the right and still do use it today.
2. Santa Cruz de la Sierra.
   It was conquered by Andrés Manso and at first the governor of Chile claimed the power to grant encomiendas here. Later Santa Cruz was declared to be in the district of La Plata and under viceroy of Perú. Governors retained the right of granting encomiendas and use it today.
3. Paraguay.
   This was a province of many capitulations and all conquerors had the right of granting encomiendas, which the governors retain.
4. Rio de la Plata.
   This was a part of the capitulation of Paraguay, separated a few years before 1628. Each governor retained the right to *encomendar* in his province and uses it today.
5. Chucuito.
   It is a *corregimiento* (ruled over by a *corregidor)* under the viceroy of Perú. There is no power to grant encomiendas because the inhabitants are all Indians without any settlement of Spaniards. The Indians are directly under the royal crown.

II. Audiencia of Quito.

1. Yahuarsonco.
   It was discovered by Captains Juan Porcel and Pedro de Vergara by order of Vaca de Castro. Afterwards Captain Juan de Salinas conquered it under the viceroy of Perú, with title of corregidor. It is not certain whether he had the right to *encomendar,* but his son had the title of governor. The viceroy grants encomiendas.

2. Los Quixos.

Explorers were sent from Quito. There was always the provisions that the viceroys of Perú retained in themselves the right to *encomendar* and they have used it in this province sometimes for three lives. "I have consulted the king about this, and he replied that the audiencia of Quito in whose district it falls should be informed; I am not certain if there is any result." The governors of this province have acquired the right by reason of ordinary capitulation and they grant encomiendas, although the viceroys of Perú claim otherwise.

III. Audiencia of Nuevo Reyno de Granada.

(At first Licenciado Gonzales Ximénez de Quesado, as discoverer, distributed Indians; later the right was held by the president of the royal audiencia.)

1. Popayán.

This province was discovered by Sebastián de Belalcázar, going out from Quito under Pizarro. Belalcázar afterwards went to Spain and secured from the emperor the government of Popayán, Guacallo, and Nebo, with the title of adelantado and the right to grant encomiendas. The governors continue to use the right.

2. Antióquia.

This city was founded by Captain Jorge de Robledo by order of Belalcázar. He tried to usurp rights but was imprisoned by Adelantado don Pedro de Herredia, governor of Cartagena. Juan Cabrera, a deputy from Belalcázar, came and made Bachillir Madronero governor. All of these gave encomiendas, five distributions; one by Robledo, two by Herredia, and two by Madronero. Thus the *facultad* was well introduced and is used by the governors today.

3. Los Musos.

This is one of the most bellicose of all Nuevo Reyno. Different attempts were made at conquest. Captain Luís Lanchero founded two cities, Trinidad and La Palma, and had the right to *encomendar*. His successors have exer-

cised the right although they are only twenty leagues from Santa Fé, where the president of the audiencia of Nuevo Reyno resides.

4. Santa Marta.

   The governor has the right of granting encomiendas.

5. Cartagena.

   This was a capitulación of Pedro de Herredia. The governor had the right to *encomendar*, but the Indians were so few that even the New Laws did not affect them.

6. La Grita.

   This was a *corregimiento* under the president of Nuevo Reyno, who exercised the right of granting the encomiendas. Captain Juan Pacheco Maldonado, with the title of governor, spent eight years in pacifying the Indians. It seems that he ought to have the right of commending the Indians because of his conquest to pacify. The ordinance grants that in places which shall be newly settled encomiendas may be granted for two lives.

7. El Dorado.

   El Dorado is a place which all seek after, but no one finds. The name is derived from a story about a gilded man. On one of the expeditions to find El Dorado the Island of Trinidad was discovered. The cities of San Joseph de Orrino on the island and Santa Tomé on the mainland were founded. Antonio de Berrio made the capitulation under Quesado. All of the conquerors had the right of granting encomiendas and in this region they have been granted for three lives.

IV. Audiencia of Panamá.

(This was called Castilla del Oro, then Tierra Firme. Pedro Arias de Ávila had the right of granting encomiendas and the president of the audiencia "has today, but I doubt if there are any Indians on whom to exercise it. There are a few in the towns of Todos Santos and Nata.")

1. Veragua.
   It was discovered by Columbus and he gave twenty-five square leagues to his heirs with the title of duke. It was ceded to the king for sixteen thousand ducats of rent, and nothing was left but the title. In 1535 Philip Gutiérrez explored it and Diego Gutiérrez succeeded in conquering it. Diego Gutiérrez settled Cartago and distributed the land, but the Indians were so bellicose that they never served in peace. The right to *encomendar*, however, was introduced by Gutiérrez and the governor enjoys it today.

V. Audiencia of Santo Domingo (Española).
   (The first repartimiento was made by Columbus. The governors have always had the right, "but for many years there have been no Indians on whom to exercise it, and so it is a vain right for it never can be reduced to action.")

   1. Venezuela.
      The first conquerors left a bad record when the government was taken from them. Governor Juan Pérez de Tolosa and those who succeeded him founded cities and distributed Indians as *pacificadores* which left the right to their successors and the governors enjoy it today.

   2. Cumaná.
      Captain Francisco Hernández de Serpa who made the conquest was killed by the Indians, but both he and Francisco de Orellano had the power of granting encomiendas.

   3. Trinidad.
      The governor has the right of granting encomiendas under the audiencia of Santo Domingo.

   4, 5, 6, 7, 8. Havana, Santiago de Cuba, Puerto Rico, La Margarita, Jamaica.
      The governors early had the right to *encomendar*, but they cannot exercise it because there are no Indians. Jamaica is not under the king, but under the dukes of Vega.

Florida (exempt from the audiencia.)

There were many different capitulations under Ponce de León, Lucas Vásquez de Ayllón, Pámfilo de Narváez, Hernando de Soto, Pedro Menéndez de Áviles. All had the right of granting encomiendas, but none exercised it because the Indians of this province were never pacified. The governor was not subject to the audiencia of Santo Domingo nor to any other but directly under the Council of the Indies.

Viceroyalty of New Spain.

(Fernando Cortés and Diego Velásquez granted encomiendas against their orders. "The viceroys do not have the power of granting them.")

I. Audiencia of Mexico.

1. Yucatán.

The captain-general of Yucatán was the only one who had the right of granting encomiendas, and for many years they were granted for three lives. Francisco de Montejo made the first repartimiento. In 1544 and 1545 the right was used by the governors. This province was under the audiencia of Guatemala part of the time.

II. Audiencia of Galicia.

(The president does not hold the right to *encomendar* except by cédula from the king, as in New Spain. The custom of granting for three lives has been practiced.)

1. Vizcaya.

The captain general does not distribute Indians. Francisco de Ibarra was sent by the viceroy of New Spain with the title of governor but not the power to grant encomiendas.

2. New Mexico.

This province was discovered by Captain Antonio de Espejo and the first settlements were made by Juan de Oñate, but they had no right to grant encomiendas except by virtue of be-

ing conquerors. "Until now there is not much news of this province in the council."[34]

III. Audiencia of Guatemala.

(Cortés sent don Pedro de Alvarado as lieutenant-governor and captain-general. Alvarado founded Santiago and went to Spain. He returned with many grants of favor, among them the title of adelantado, governor and captain-general, without dependence on Cortés. He had already distributed Indians but he brought back from Spain confirmation of his right and fuller power. Alvarado died in 1541, and a chancery was set up with a president. At first encomiendas were granted in trust, but later they followed the law of succession. The president has retained the right to *encomendar* the grants left vacant.)

1. Honduras.

   The Indians were pacified by Captain Alonso de Cáceres by order of Pedro de Alvarado of Guatemala. The audiencia of Guatemala retains the rights.

2. Nicaragua.

   This province was discovered by Gil González de Ávila, and Francisco Hernández de Córdova began the settlement of it. Later Diego López de Salzedo entered Nicaragua from Honduras and distributed Indians at his own will. The right has remained in the president of the audiencia who enjoys it today although there is a governor of Nicaragua.

3. Soconusco.

   Pedro de Alvarado first pacified this province going from Guatemala. The privilege of granting encomiendas is still used by the presidents of Guatemala.

4. Costa Rica.

   The president of Guatemala grants encomiendas.

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34. Priestley states that after 1612 "thirty-five encomiendas were granted in New Mexico for the purpose of border defense though this seems to have been the latest instance of numerous grants." Priestley, *op. cit.*, p. 121.

Audiencia of Manila in the Philippines.

León speaks of "Indians" of these islands which were discovered by Hernando de Magellan. Adelantado Miguel López de Legaspi pacified Luzón and other islands of the group. He had the right to grant encomiendas, but he did not exercise it because he did not live to see the islands fully pacified. Guido de Labazarris, a royal official, was the first to distribute the natives.

Mention is made of audiencias of Lima, of the *Confines* in Central America, and a temporary one in Chile. In the presidencies of La Plata and Quito the viceroy of Perú retained the right of granting encomiendas.

Chile was discovered by don Diego de Almagro. Pizarro gave the government to Pedro de Valdivia with the right to grant encomiendas, which right he used in founding the cities of Serena, la Concepción, la Imperial, and Valdivia. Chile remained separate from Perú, although with some recognition of the viceroy, and the president or governor has always retained the right of granting encomiendas.[35]

This summary by León shows how the encomienda system permeated every part of the Spanish empire in the New World. López de Velasco states that by 1574 there were about five thousand encomiendas, three thousand in the provinces under the viceroyalty of New Spain, about two thousand under the viceroyalty of Perú, and perhaps a hundred more in the Philippines. He estimates one million and a half tributary Indians, not counting the children, women, old men, and the Indians not pacified.[36]

35. Antonio de León, *op. cit.*, Part I, Chapter VII, pp. 33-45.

(To be continued)

36. López de Velasco, op. cit., pp. 2, 91, 337, 582.

COMMERCIAL CONDITIONS IN MEXICO AT THE END OF THE COLONIAL PERIOD*

By LILLIAN E. FISHER

At the end of the colonial period commerce, which was part of the economic policy of Spain toward the American dependencies, was still unprogressive. True it is that other countries had similar mistaken economic ideas and upheld the false mercantilistic theories of the age, but no nation clung to them more tenaciously than Spain. In places where the pressure for a more liberal system was greatest, other nations winked at evasions of the law, but Spain carried monopolistic exclusiveness to the extreme, and from the outset the policy of a closed door was maintained relative to colonial markets. The peninsula reserved for itself the supplying of the colonies with articles of necessity and a large part of the food stuffs consumed in America. All commercial relations with the New World were subject to martinet supervision. A rigid system of registration was established to prevent foreigners from taking part in American trade, and emigration to the colonies was limited.

Commerce should have been as free as in the days of the Aztecs, but under the strict monopoly established from the conquest, it could only be carried on by definite persons, in a determined quantity and form, and through certain ports. From such an illiberal basis arose all the legal complications of commerce between Spain and its dependencies. American commerce should at least have been free to all Spaniards, and Spanish industries should have been created or protected; however, merchants could not send their goods to the New World without obtaining a special privilege for this and the cost of such a permit was very high. Inhabitants of the Canary Islands might not trade with America at all. Conditions were deplorable in Spain, industry was ruined, usury in all its forms existed,

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and the coinage was frequently debased. With such a situation, how could the colonies have a better fate? What was expected of them was that their gold and silver should pay for foreign wars, make up all the deficits in the treasury, and enrich individuals.[1]

Spaniards or foreigners controlled commerce almost entirely and creoles or American-born Spaniards were excluded from its profits as they were from many other advantages in New Spain. The voice of an unknown writer declared that depriving the creoles in America of commerce was nothing else than to encourage foreigners in it. If foreigners obtained this privilege then Spanish navigators became poor and were compelled to serve under them at a salary as servants; hence neither Spaniards nor persons born in America would be able to carry on any commerce.[2]

Other countries soon tried to break down the cherished Spanish monopoly by illicit trade. The coasts were infested by the destructive raids of buccaneers, and colonial officials appointed to administer the commercial system were corrupted. The monopoly finally collapsed, for under the best conditions it would have been difficult to continue, since it was contrary to all the normal operations of economic forces. A large part of the profits on American trade went to French and English factories because Spain could not supply more than one tenth of the commodities consumed by its American colonists. Under the famous *asiento* of 1713, Great Britain obtained the right to send one ship a year to trade with the Spanish dependencies. England snapped its fingers at the treaty and, needless to say, the ship never became empty, since it was accompanied by smaller boats which kept in hiding until night when they replenished the larger ship. From that time the maritime nation held an enviable position in American commerce. By 1740 England reaped as great profits from Spanish colonial trade as did Spain itself. Alexander von Humboldt, the well-

1. Pablo Macedo, *Tres monografías* (Mexico, 1905), 12-23.

2. Parecer sobre el gobierno y comercio de las Indias. AGI (Archivo General de Indias), 141-6-4 (sin fecha sin firma). BL. (Bancroft Library).

known traveler, asserted that before 1765 England gained more than 20,000,000 pesos a year from fraudulent commerce.[3]

After 1763 it was impossible to keep the English out of Spanish American ports. British warships seemed to take special delight in entering important harbors like Havana, Vera Cruz, and Porto Bello, not so much because of the profit to be derived from contraband trade and the love of law breaking, but rather to build up a traditional right of entrance and it was necessary to ascertain the strength and location of the Spanish colonial forces.

Spain's rivals could provide manufactured articles much cheaper than the Iberian Peninsula or its colonies could produce them. Spanish manufacturers had always been handicapped by the wealth of the Indies, since the huge gold supply that poured into the home country caused prices to rise and helped to ruin manufacturers on account of the cheap foreign goods which flooded Spain. By the end of the eighteenth century the volume of Spanish production was almost nothing. After the Latin Americans learned the cheapness of foreign goods, Dutch, French, Portuguese, and English smugglers were welcomed and even the Spanish local officials pretended to overlook their activities. It was realized that goods which came through the legitimate channels were very expensive on account of high freight rates, delays in transportation, and the greed of merchants who often tried to make a fortune on the first cargo sent to Vera Cruz. The colonists therefore began to believe that the restrictive commercial laws which they were forced to obey sacrificed their well-being and they regarded foreign nations as their friends. Worst of all, corruption and evasion of the laws became widespread, thereby lessening respect for the law, which in time became one of the weakest features of the Spanish colonial administration.

British merchants established themselves at Vera Cruz, pretending to watch the traffic in slaves, which was

3. *Ensayo político sobre Nueva España* (Paris, 1836), IV, 151-152.

not very important, but it served as a pretext to introduce other merchandise. They began to take possession of the foreign commerce of Mexico and soon obtained important commercial houses in that country. Later those houses disappeared and were replaced by French and German commercial establishments.[4]

Commercial conditions were rendered more unsatisfactory because of the multitude of irksome imposts, duties, fees, charges, commissions, royalties, licenses, and tributes. An import and export duty *(almojarifazgo)* was required on all merchandise. The usual rates were two and one half per cent on goods going out of the country and five per cent on imports, but this varied greatly under different administrations until it reached seventeen and one half per cent. Goods which passed from one colonial port to another paid from one half to five per cent duty.[5] There was the *avería* besides, intended to cover all transportation costs, which mounted to fourteen per cent at times. The *almirantazgo* was an import duty established as an endowment for the admiral of the Indies, Columbus and his descendants; the right was given up in exchange for a pension. Nevertheless from 1737 the duty was collected for the treasury on numerous merchandise and was continued until free trade; it was reestablished by Charles IV in 1807.[6] A tonnage duty was levied on vessels engaged in American trade to defray the expenses of the *consulado* or organization of merchants. At first it was one and one half reales in silver for each ton, however, another real was added later. The duty was not uniform on all vessels; it was graduated in accordance with the importance of the port

4. Macedo, 35-36.

5. Juan de Solórzano y Pereyra, *Política indiana* (Madrid, 1626-1639), 1776. Francisco Ramiro de Valenzuela ed. II, lib. 6, cap. 9, art. 8, p. 468; *Documentos inéditos . . . de Indias* (Madrid, 1864-1884), XIX, 81, 112; *ibid.*, XVIII, 337-339; Herbert I. Priestley, *José de Gálvez* (Berkeley, 1916), 361; Clarence H. Haring, *Trade and Navigation between Spain and the Indies in the Time of the Hapsburgs* (Cambridge, 1918), 84.

6. Macedo, 27-29.

to which a vessel was bound.[7] The *alcabala* or sales tax, which was ten per cent on merchandise arriving and sold in Spain and six per cent in the colonies, also affected commerce, for it was one of the most abused taxes. The régime of free commerce after 1778 modified some of the burdens of those impositions, but they were later reestablished and prices were kept as high as ever in Mexico. Foreign products were burdened thirty-six per cent of their value upon their arrival at Vera Cruz and, because of colonial imposts, when they reached the consumers the duties were seventy-five per cent. The same thing happened in Europe with colonial products. For example, cochineal paid 41 pesos and 30 centavos on each *arroba* when it reached Spain.[8]

The hated monopolies were extended to articles of common necessity like salt, fish, tobacco, quicksilver, playing cards, stamped paper, leather, gunpowder, snow brought from the mountains for refrigeration, alum, copper, lead, tin, alcohol, and cock-fighting.[9] All individuals were prohibited to trade in those products, since the profit from them belonged exclusively to the government. The evils of monopolies were increased by leasing them; usually the most powerful persons in the community became the contractors and worked for their own selfish interests to the disadvantage of the consumers. That which was not a legal monopoly was frequently made a monopoly by the clergy and merchants.[10]

The monopolies were generally accepted by the submissive people without question, but when the noted tobacco monopoly was formed in 1765 and severe penalties were imposed on contrabandists, a small determined and enter-

7. Miguel Lerdo de Tejada, *Comercio exterior de México desde la conquista hasta hoy* (Mexico, 1853), 14.

8. Rafael Antúñez y Acevedo, *Memorias históricas sobre la legislación y gobierno del comercio de los Españoles con sus colonias en las Indias Occidentales* (Madrid, 1797), 23; Macedo, 29-30.

9. Vicente Riva Palacio, *México á través de los siglos* (Barcelona, 1888-1889), II, 699, 701; *Documentos inéditos . . . de Indias*, VI, 254; *Memorias de los vireyes que han gobernado el Peru* (Lima, 1859), III, 275; Priestley, *José de Gálvez*, 153, 314, 321, 346.

10. Macedo, 37.

prising group of men organized as a secret society to combat it. They had accomplices and friends in the tobacco growing districts and along the winding roads over which the product was transported. Those bold defiers of the law battled even with the troops when this was necessary to defend their interests. But in spite of such opposition, the tobacco monopoly flourished, and contributed to the government from 1766 to 1790, after all expenses were deducted, 52,437,074 pesos.[11]

Commerce in America was carried on through the consulado which was similar to a modern chamber of commerce. The organization had its own judicial tribunal, consisting of one prior with functions as president and two consuls who were judges. Before this court was held practically ever civil case arising from the trade of the Indies, such as bankruptcies and collection of debts.[12] Those corporations of commerce also had administrative functions which were somewhat confused with their judicial duties.[13] The consulado, having large sums of money at its disposal, undertook to finance many public works. It likewise worked for its own interests and soon became a closed corporation controlled by a few large commercial houses in Seville which enjoyed a monopoly of trade between Spain and America.[14]

By the nineteenth century the consulados did not meet the needs of the American people, since adequate supplies of most of the necessities of life were habitually lacking in the Spanish colonies. This may have been caused by maladministration, the inability of Spain to obtain goods from other countries, or by the deliberate restriction of the supply of merchandise by the consulado to keep prices high. The complaints made against the organization by the later viceroys of Mexico show that the institution was getting beyond their control. Viceroy Linares spoke of

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11. Riva Palacio, II, 890-891.
12. *Recopilación de leyes de las reynos de las Indias* (Ed. 4, Madrid, 1791), leyes 2-3, 15, 21-24, tit. 46, lib. 8.
13. Macedo, 25.
14. Haring, 43-45, 136-137.

the many annoying irregularities in the conduct of the members of the body; he implied that its agents sometimes tried to undermine the influence of the viceroy at court. Those crafty men obtained monopolies of certain kinds of merchandise, hid their goods, or went into bankruptcy, and injured the common people by raising prices. Viceroy Marquina objected to the confused condition of the finances of commerce which it maintained.[15] Viceroy Branciforte thought of abolishing the consulados of Vera Cruz and Guadalajara because they had become so aggressive. He believed that it was expensive to maintain three consulados when the one in the capital was sufficient; commercial deputations could be established in the principal cities or capitals of the intendancies. The consulado of Vera Cruz had recourse to the king and ably defended itself by outlining the advantages which resulted from its erection. The viceroy did not succeed in getting rid of the two consulados.[16]

For many years Spain's restrictive commercial policy also prohibited coastwise trade between the ports of different viceroyalties, and even between those of the same viceroyalty. Occasionally public-spirited viceroys like the two Revillagigedos used their influence to have the Mexican ports opened to domestic commerce, which was scant because of the irregularity and scarcity of food crops and colonial exports.[17]

The monopolistic system did not fulfill the great expectations of Spain, therefore Bernardo Ward, a member of the royal council and minister of commerce, began to advocate free trade as early as 1762. He declared that if commerce were free and all who wished were permitted to go to the Indies, products would become cheap, merchandise would be brought for all kinds of purchasers, greater consumption would result, occupation would be provided

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15. *Instrucciones que los vireyes de Nueva España dejaron a sus sucesores* (Mexico, 1867), 310-311, 195-196.

16. Consulta de consejo de las Indias. Madrid, April 2, 1808, num. 9, AGI, 1144 (88-1-7). Audiencia de Méjico.

17. Priestley, *José de Gálvez*. 202; *Instrucciones que los vireyes de Nueva España dejaron a sus sucesores*, art. 119, p. 26.

for the king's vassals, industry would be promoted, and the nation would be greatly enriched. He though that many things from America were useful for Europe and many European products could be sold advantageously in the dependencies. He added that if the commerce of the Indies were not opened to all subjects of the monarch, all the measures taken for the improvement of mining and industry would not benefit Spain but only serve to enrich its enemies.[18]

The first real commercial reform for the colonies came during the reign of the wise Bourbon king, Charles III, who abolished the most vexatious features of the monopolistic system. A preliminary decree for free trade was first applied to the islands of Cuba, Santo Domingo, Puerto Rico, Margarita, and Trinidad, also Yucatán and Campeche, in 1775. They were relieved from many minor and oppressive dues and goods could be sent from or received in nine ports of Spain.[19]

In 1778 a period of restricted free trade was inaugurated, since the liberal-minded king Charles III thought that only free commerce among the Spanish Americans and the European Spaniards could reestablish agriculture, industry, and the population to their ancient vigor. For ten years the chief import and export duties on Spanish commerce were removed or modified. The tonnage duty and admiralty duty were abolished, and the avería was reduced one half per cent on silver and gold.[20] Certain colonial products consumed in the metropolis were exempted entirely from dues. With special permission boats from the Balearic and Canary Islands might go to the Indies. Other Spanish cities besides Seville and Cádiz obtained the privilege to trade with the colonies, and free inter-colonial commerce

18. *Proyecto económico en que se proponen varias providencias dirigidas á promover los intereses de España . . .* (Madrid, 1779), 278 et seq.

19. Decree of Nov. 8, 1775, and addition to it on July 5, 1776, AGI, 1316 (89-1-14). Audiencia de Méjico.

20. Antuñez y Acevedo, 176, 207, 227; *Reglamento y aranceles reales para el comercio libre de España e Indias de 12 de Octubre de 1778.* Madrid 1778, AGI, 1316 (89-1-14). Audiencia de Mejico, arts. 16-17, 22.

was permitted. Goods still had to be brought directly from the ports of Spain and were transported only to Vera Cruz, not being allowed to go directly to Havana or other ports of Mexico.[21] Merchants of the interior cities who formerly went to the capital to obtain their European goods proceeded directly to Vera Cruz to buy it, and thus avoided a duty of six per cent payable on goods entering the metropolis.[22] Merchant ships no longer sailed under convoy, but went out individually without naval protection.

Free commerce, after being tried in the less important colonies, was applied to all parts of Spanish America by 1789. The monopoly enjoyed by the consulado and the great merchants was broken, and many small traders entered the commercial field. Those who previously engaged in monopoly found it necessary to take up active work, accordingly they employed their capital in agriculture and mining, thereby causing those industries to increase.[23] The *ayuntamiento* or town council of Vera Cruz declared that the population of the seaport had greatly increased due to free trade.[24] José Pablo Valiente asserted that the valuable measure had given a powerful impulse to agriculture and national industry on account of the ease of consuming their products; it contributed effectively to the increase and perfection of the merchant and naval marine; it facilitated communication with the metropolis; and multiplied productive capital. He added that the bonds between the colonies and the mother country were strengthened by those relations in such a manner that measures were communicated quickly and power was exercised in America with the same ease as near the throne.[25] Vicente Basarde said that free commerce marked a glorious epoch in posterity, and

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21. *Ibid.*, arts. 4, 43; Lucas Alamán, *Historia de Méjico*, (1849-1852), I, 112; Macedo, 24.

22. Humboldt, IV, 125.

23. Alamán, I, 112.

24. Consultas de negocios seculares. Mexico, 1807, AGI, 1143 (38-1-6). Audiencia de Méjico.

25. Sobre sistema de gobierno de America. Sevilla, Sept. 16, 1809, AGI, 141-5-11. Audiencia de Méjico. BL.

the year when the fleets were abolished should be set down in the annals of the noted events of the kingdom.[26] Ramón de Casada believed that free commerce was greatly to be desired, for it was the true means to make a people happy, to cause agriculture, the arts, and navigation to flourish; it would increase the population and banish idleness and vice. He maintained that free commerce in comestibles would be a guarantee against the introduction of foreign products and at the same time the provinces would be benefited.[27]

A general era of prosperity began, industrial life was quickened, and there was relief for a short time from ruinous taxation. The people began to awaken and realize the limitations and grievances of which they had been the victims during the centuries of unreasonable discrimination and unjust restriction. There was a complete break with the ancient commercial régime and the inhabitants began to become conscious of their powers. Wealth and capital multiplied and the Mexicans made some advancement in civilization. Estévan de Antuñano thought that this was the first step toward Mexican emancipation.[28] The frontier provinces benefited from the liberal measure. In 1782 direct trade with France and Louisiana was permitted to Spaniards in Spain and the Louisiana colonists were allowed to carry on commerce with France, a necessary consequence after the expulsion of the British smugglers during the war of the American Revolution, since those violators of the laws had furnished most of the supplies for the frontier province. Spanish merchants and manufacturers had proved unable, under the old system, to meet the needs of the inhabitants of Louisiana.[29]

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26. Copia del memorial de Vicente Basarde. Vera Cruz, Jan. 5, 1799, AGI, 2508 (96-2-14). Audiencia de Méjico.

27. Copia del pedimiento fiscal de 30 de Noviembre de 1781 sobre libre extracción de arina y otros comestibles a la isla de la Havana y otras partes . . . Num. 18, AGI, 2523 (96-3-8). Audiencia de Méjico.

28. "Discurso analítico de algunos puntos de moral y economia política de Méjico . . ." Puebla, 1834. In *Papeles varios*, 61, num. 3, p. 30. The *Papeles varios* is a collection of printed Mexican pamphlets.

29. Arthur P. Whitaker, "The Commerce of Louisiana and the Floridas at the End of the Eighteenth Century." *Hispanic American Historical Review*, May 1928, pp. 192 et seq.

The consulado did not give up its old monopolistic privileges without a struggle. The consulado of Mexico City declared that "free commerce of the Americas with Europe and Asia hurts the public right, insults the prerogatives of the Spanish throne, destroys the pretensions, hopes, wealth, power, finance of the mother country, offends progress, customs, sentiments, and the peace of those possessions, and causes division and anarchy." The organization said that Spain had a right to the commerce of the Indies because it had conquered them, and that national monopoly was a just reward for the beneficent protection of the mother country. It added that if commerce were free, all nations would wish to be situated in America and Spain could not keep them out. According to the consulado, free commerce was without doubt the most terrible enemy of navigation, agriculture, and manufacture.[30] On the other hand, Pedro del Paso y Troncoso, prior of the consulado of Vera Cruz, said that the consulado of the capital greatly exaggerated the danger of free commerce. He stated that the organization of merchants wrongly attributed the rebellion of the people to foreign commerce, for where it was most continuous there had not been discovered the lightest spark of that destructive flame which almost consumed other parts reserved for the trade of the consulado.[31]

There were a number of persons who severely criticized the measure for free commerce; for instance, Antonio de San José Muro maintained that the poverty of America increased with free commerce which was a true evil, that countries which had products to export were enriched but those which only worked mines became miserable, and that the old system kept more silver in the kingdom. Consequently he believed that it was necessary to restore condi-

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30. "Informe del real consulado de México contra el comercio libre de America." *In* Juan Hernández y Dáavalos, *Colección de documentos para la historia de la guerra de independencia en Mexico de 1808 a 1821* (Mexico, 1877-1882), II, 500-508.

31. Diario del gobierno de la Habana. Lunes 31 de Enero and Domingo 30 de Enero de 1820. Numeros 31, 30, AGI, 1678 (91-2-12). Audiencia de Méjico.

tions as they were under the old régime.[32] Pedro Fauria said that Spanish products suffered greatly from the results of the unfortunate system of free commerce, commercial conditions were deplorable in Mexico, and Spain experienced incalculable losses because English goods were sold cheaper in Mexico than Spanish merchandise.[33]

Complaints arose that, like so many other laws, the *reglamento* for free commerce was not enforced everywhere. Lucas de Gálvez, the intendant of Yucatán, and Francisco Carvajal, intendant of Chiapas, both avowed that free trade was hindered in their provinces by certain governmental authorities.[34] Viceroy Revillagigedo also showed that the wise measure for free commerce was violated. Although the commerce of European products with Mexico was prohibited to all ports except those of Spain, they came from Havana under the pretext of provisions for merchant boats and generals in the war.[35]

Humboldt, who was familiar with the working of the regulation of 1778 in Mexico, said that the word "free commerce" only represented an idea. Fourteen Spanish ports were opened at the same time to the commerce of America and this was like a step from the most despotic arbitrariness to a freedom sanctioned by law, but it did not go far enough. The noted explorer thought that more would have been gained on both sides if another order had annulled the oppressive custom duties, which were opposed to agricultural and industrial progress in New Spain.[36] Pedro Troncoso criticized the Pragmatic of free commerce because it closed the ports of Havana, Campeche, San Blas, and all

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32. Proyecto del Antonio de San José Muro. Mexico, April 16, 1787, AGI, 1879 (92-5-15). Audiencia de Méjico.

33. Pedro Moreno y Fauria al Exmo. Señor D. Pedro López de Lerena. Mexico, Nov. 26, 1789, AGI, 1907 (92-5-15). Audiencia de Méjico.

34. Lucas de Gálvez al Exmo. Señor Don Antonio Valdés y Bazán. Campeche, Sept. 25, 1788, num. 36, AGI, 2505 (96-2-11). Audiencia de Méjico; Francisco Saavedra y Carvajal al Exmo. Señor Dn. Antonio Valdés. Ciudad Real de Chiapas, June 4, 1788, num. 1, AGI, *ibid.*

35. Revillagigedo al Exmo. Señor D. Diego Gardoqui. Mexico, Nov. 30, 1793, num. 754, AGI, 2506 (96-2-12). Audiencia de Méjico.

36. *Ensayo político sobre Nueva España,* IV, 122-123.

the others of America to the trade of foreigners. He declared that to order the ports of America closed to foreign commerce, which was already established, was like requesting night to turn into day and was a waste of time. He maintained that the laws which regulated commerce should vary with the times. He believed that the increase of the permitted commerce would destroy the illicit which, besides converting useful men into delinquents, absorbed the greater part of the revenues of the crown and destroyed the happiness of the state and the prosperity of the vassals who observed the laws.[37]

Other slight concessions were made to commerce later; in 1788 a decree permitted foreigners as well as Spaniards to carry on commerce in negro slaves in the American islands.[38] In 1789 national products and manufactures were declared free for Mexico and Caracas, and one third of each cargo might be made up of foreign goods of licit commerce.[39] On account of the repeated petitions of merchants and in order to avoid the interruption of commerce with America during the French Revolution, in 1797 the king permitted all his subjects to make expeditions to America with goods which were not prohibited in national or foreign boats from the ports of neutral powers or from those of Spain. This measure did not have the desired effect, since Spaniards themselves abused the privilege granted them. The decree was therefore annulled in 1799.[40] The sovereign also permitted European goods to circulate from port to port in America because of the scarcity of such articles during the war with England. The consulado of Havana rejoiced, but the consulado of Vera Cruz complained about the injuries caused to national trade because of the meas-

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37. Diario del gobierno de la Habana. Domingo 30 de Enero de 1820, num. 30, AGI, 1678 (91-2-12). Audiencia de Méjico.

38. Antúñez y Acevedo, 145.

39. Decree of Feb. 28, 1789. AGI, 1316 (89-1-14). Audiencia de Méjico.

40. Decree of 1799. Aránjuez, April 1799, AGI, 1314 (88-1-12). Audiencia de Méjico; Varias cartas sobre pagó del situado del ministro Español en Filadelfia 1799. *Ibid.*, papeleta 75.

ure.[41] Before 1815 a number of other Mexican ports besides Vera Cruz had been opened directly to European commerce.

The reforms did not stop smuggling—the curse of the Spanish commercial system. From 1796 to 1801, during the war with England, Spain could not introduce into Mexico more than 2,604,000 pesos' worth of goods; yet all the shops were full of muslin from India and the products of English manufacture.[42] Clandestine trade flourished on the Guadalquivir itself.[43] Josef Cárdenas declared that contraband was very frequent even among persons of first distinction, that the greater part of commerce was illegal, and that correspondence was maintained with foreign nations which sent spies into the colonial ports. He showed that one of the roots of evil was that smuggling was not believed to be a sin, another that it was not harmful, another that the royal dues were unjust and that the people were burdened with excessive imposts.[44] In 1803 Antonio de Argumedo said that the restriction of commerce caused contraband and many persons became contrabandists involuntarily because of the inflexible rules for registering goods. When a boat arrived in a port the register was made and closed immediately. It was very expensive to have the register opened again and it caused much delay, therefore additional articles were embarked without register by bribing the customs guards.[45] In time of war commerce almost reached the point of being independent. At that time illegal trade was estimated at six or seven million pesos a

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41. El consulado de Vera Cruz da cuenta a V. E. en el intolerable abuso que hace en las reales órdenes que permiten la exportación de efectos de Europa de un puerto a otro de America. Vera Cruz, June 6, 1810, num. 360, AGI, 2514 (96-2-20) Audiencia de Méjico; El consulado de Habana pide que ratifique las reales órdenes que permiten la reexportación de efectos procedentes de la península para otros puertos de America. Havana, Nov. 5, 1810, num. 360, AGI, *ibid.*

42. Humboldt, IV, 120-121.

43. Haring, 62-63.

44. Fray Josef de Santa Gertrudis y Cárdenas á Floridablanca. Puebla, Oct. 28, 1787, AGI, 1879 (92-4-3). Audiencia de Méjico.

45. Antonio de Argumedo al consejo de Indias. Huejutla, Dec. 20, 1803, num. 36, AGI, 190 (91-6-25). Audiencia de Méjico.

year, and in periods of peace at four or five million pesos.[46] Spanish merchants could not complete successfully with foreigners under such conditions, since the prices of their goods had to be very high on account of the dangers and difficulties of transportation, because of the large securities demanded, illiberal contracts, and the contributions and loans to help meet the expenses of the war. As a result many merchants were ruined and the contrabandists had everything their own way, for the government of Mexico could not guard the immense extent of the coasts while there were wars.[47]

Internal commerce became more progressive in New Spain when free trade was established. Products were exchanged quite freely, especially with the mining regions. Every week thousands of mules came from Chihuahua and Durango to Mexìco City bringing silver, leather, and other commodities from those districts. They returned laden with manufactured woolen goods from Puebla and Querétaro, also with merchandise from Europe and the Philippines, and with iron and mercury.[48] Better and cheaper transportation was one of the problems which had to be met before internal commerce could be profitable. Roads were scarce and in a deplorable condition. Humboldt thought that it would be a good thing to introduce camels into Mexico to carry goods from the Pacific to the Atlantic coast because they suffered much less than horses and mules from dry climate and lack of water. As Mexico did not have navigable rivers, this well-informed traveler also suggested that there should be artificial navigation between Mexico City and Tampico. He likewise believed that a canal could be constructed through the intendancy of Oaxaca to unite the two oceans.[49] José María Quirós also believed in the possibility of such a canal and he thought it would

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46. Humboldt, IV, 120-121.

47. Riva Palacio, II, 891. The great bulk of the *legajos* of the Archive of the Indies from about 1780 to 1806 deal with smuggling.

48. Humboldt, II, 9.

49. Humboldt, IV, 44-47, 54, 32-33.

greatly benefit the provinces of Vera Cruz, Oaxaca, and Puebla.[50] Several viceroys called the attention of the government to this plan, but nothing was done about the Tehuantepec canal route.

Internal trade was somewhat interfered with on account of rivalry between the merchants of Mexico City and Vera Cruz—a rivalry between the merchants of the plains and those of the warm regions. Spain paid no attention to those dissensions, but secretly found satisfaction in them, believing that its position would be strengthened by the internal disagreement between the natives and Spaniards.[51] This commercial emulation between the merchants of the two cities may have been one reason why the latter was so popular a place for rebel groups. There was a slow estrangement and separation taking place between the two municipalities. Vera Cruz had felt the effects of liberal influences, which sprang up from contact with foreign peoples and ideas, more than the capital; for, no matter how heavy the restrictions at such a port, individual merchants from all over the world would come and leave their influence. Since the inhabitants were inspired by new ideas and were trade competitors of the capital, Vera Cruz later proved to be an excellent place from which to launch liberal movements.[52]

The coastwise trade flourished under free commerce and assumed an importance hitherto unsuspected. Vera Cruz alone received four or five hundred boats a year, but Acapulco was visited by only about ten vessels. Four or five ships were sent annually down the west coast of Mexico to Guayaquil and Lima, but this commerce with Peru was not very successful because of the great distance, adverse winds, currents and calms, and the crudely con-

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50. Memoria de estatuto. Causas de que ha procedido que la agricultura, industria y minería de Nueva España no hayan adquirido el gran formento de que son susceptibles. Vera Cruz, Jan. 18, 1818, AGI, 2518 (96-3-3). Audiencia de Méjico.

51. Humboldt, IV, 83-84.

52. Wilfrid Hardy Callcott, *The Church and State in Mexico 1822-1857* (Durham, 1926), 74-75.

structed vessels. In the east the coast trade was more profitable and in 1804 fifteen or twenty American boats went around Cape Horn into the Pacific.[53] The Philippine commerce continued to be profitable after free trade was inaugurated. The rich merchandise from the Orient was eagerly awaited every year by the people of Mexico and the goods were distributed in the entire viceroyalty.[54] All classes of people from the proud creoles of the larger municipalities to the Indians of the warm lands, whom the Spanish laws compelled to wear clothes, were dressed in the fabrics of the Orient—in the silks of China, or cottons of Luzón and India.[55]

The national wealth increased every year after free commerce was established; this was true in all branches of finance. Luxuries were more in demand than ever before in Mexico. Finer fabrics were needed, therefore New Spain was more dependent upon Europe and Asia. The principal exports from Mexico were gold and silver in bars or made into designs by the silversmiths, cochineal, sugar, flour, indigo, salted meats, dried vegetables or other eatables, tanned leather, vanilla, Jalapa root, soap, dye-wood, pimienta, and sassafras. The imports were cloth, paper, whisky, cacao, mercury, iron, steel, wine, and wax.[56]

Commerce was not altogether successful under the Pragmatic of Free Trade, although it had greatly increased. It could not compete with foreign commerce. Abad Queipo, bishop of Michoacán, asked, "Why is our flour of Puebla not able to compete in Havana with that from the United States of North America?" He showed that the lands of Mexico were superior, that workmen were paid two reales a day, but in the United States they were paid double that amount, that the Puebla flour was sent twenty-five or thirty leagues while the flour of the northern nation had to be transported thirty or forty leagues and even greater distances, that the

53. Humboldt, IV, 84, 90-92, 111-113.
54. *Ibid.*, IV, 100-101.
55. Riva Palacio, II, 516.
56. Humboldt, IV, 125-133, 57-58.

voyage from Vera Cruz to Havana took fourteen or fifteen days and the journeys of the rival country took much longer, that the flour from New Spain entered Havana without duties but that from the United States had to pay heavy duties when entering any Spanish port, yet the Americans sold it for six pesos a barrel less than the Mexicans.[57] The liberal bishop said that the differences were due to the enormous burdens which Mexico had to sustain and to the many obstacles imposed upon commerce, not counting the seasons and climate. He declared that if the flour of his country did enter Havana free, the dues paid by the North Americans were not equivalent to a sixth part of what the Mexicans paid in other ways. Besides the merchants of New Spain carried on commerce largely with foreign capital for which they had to pay interest; they always owed foreigners fifteen or twenty million pesos. With the exception of ten or twelve houses in Mexico City and Vera Cruz, which had part of their capital in ready money, all the other merchants of the country possessed barely enough of it necessary for their business. The money in circulation was only one twentieth of the capital invested. Only about one twentieth of the two hundred thousand merchants carried on business with their own funds. All the others had to use foreign capital paying an interest of five per cent, or conduct their enterprises on credit at a loss of fifteen per cent. The more unscrupulous merchants, who lacked capital to carry on their commercial ventures, loaned their names for the introduction of merchandise from other nations into New Spain under the protection of their government. The unjust tariffs in the customhouses, all the appraisements of which were left to the caprice and arbitrariness of visitations, administrators, and of a receiver who obtained fourteen per cent from everything; the lack of ready cash for circulation, which caused considerable arrears in all payments and great slowness in the transaction of business

57. "Representación á nombre de los labradores y comerciantes de Michoacán. . ." Valladolid, Oct. 24, 1805. *In* José María Luis Mora, *Obras sueltas* (Paris, 1837), 86-87.

which prevented new undertakings; the outbreak of wars which caused prices to rise from one hundred to three hundred per cent on most articles; and the inability to maintain the profitable commerce of one possession with another because of the distance, poor roads, rainy or dry seasons, and customhouses—these were the other causes which the shrewd ecclesiastic gave for the failure to meet foreign competition.[58]

Queipo was certain that for the last twenty years after the establishment of free trade, exports exceeded imports by many millions of pesos, in spite of the numerous hindrances to commerce, and this was as it should be. At the same time a large quantity of hard cash, which before was accumulated and circulated in Mexico, was sent to Spain. The prelate said that if the statistics of entry and departure, which were published from the time of the establishment of the consulado of Vera Cruz, were compared, the result would show that the transportation of silver from that port added to that of Acapulco would amount to more than all the silver coined in Mexico. Little of the precious metal existed for commercial transactions in that country or could be stored up, but the miner's letters of credit circulated freely three or four months before their payment. Queipo prophesied that commerce would greatly increase in the following years because all the ordinary revenues of the king were augmented and extraordinary ones had been created.[59]

The famous ecclesiastic was therefore an enthusiastic advocate of free commerce under the regulation of 1778, declaring that, after commerce got rid of its obstacles, it gave a general impetus to society, greatly multiplied the agents of agriculture, industry, and commerce, and all the products of those branches. The means of subsistence and occupations of men were consequently increased and the

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58. "Representación á nombre de los labradores y comerciantes de Michoacán. . ." *In* Mora, I, 91-92, 107, 89, 94, 143; Riva Palacio, II, 891.

59. *Ibid.*, Mora, I, 95-96; "Escrito presentado á D. Manuel Sisto Espinosa del consejo de estado. ." Madrid, 1807. *In* Mora, I, 106-107.

population grew.[60] Queipo hoped that the government would permit a reciprocal commerce with all the other Spanish possessions and foreign commerce under conditions which would be wise for the welfare of the state. By this means, he thought that contraband trade, which injured the royal treasury so much without any benefit to the people, might be abolished and the revenues be increased.[61]

In 1810 the same bishop sent a petition to the regency of Spain saying, "May your Majesty be pleased to give to this system all the extension which the true interests of the monarchy demand, that all the authorized ports of the peninsula and the adjacent islands large or small may be free to navigate and carry on commerce in all the regions of the world, that all the large and small ports of the coasts of America and of the adjacent islands shall enjoy a similar right to navigate and carry on commerce among themselves and with the [Spanish] metropolis and adjacent isles." He showed that all the other maritime nations of Europe had always granted this liberty to all the ports of their kingdoms. France and England conceded it from the beginning of their colonies; as a result, agriculture, arts, commerce, navigation, and science had progressed in those nations. He maintained that Spaniards would be ruined by the opposite system. On the other hand, under free commerce, Catalonia would find more advantageous markets in America for its industry and fruits and Andalusia for its oils and wines, the more the inhabitants of the colonies prospered and grew in number. Queipo added that all the surplus of industry which Spain could acquire for some centuries and all the products of marine exportation would not supply the consumption of Mexico if the conditions of its people were bettered, as they would necessarily be improved under free trade.[62]

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60. "Escrito presentado á D. Manuel Sisto Espinosa. . ." Mora, I, 104.

61. "To the real acuerdo of Mexico. . ." Valladolid, March 16, 1809. Mora, I, 123.

62. "Representación á la regencia. . ." Valladolid de Michoacán, May 30, 1810. *In* Mora, I, 154-155.

José María Quirós was another strong advocate of greater commercial privileges. He believed that national goods should be free from all dues and contributions of any kind and that only three per cent should be demanded from foreigners. He said that maritime commerce in general was restricted because overseas exportation was not protected as it should have been and the coast traffic was not extended as much as possible by means of the many navigable rivers. He added that the commerce permitted to neutrals in 1797 and the favors granted in 1804 to various foreign houses of Europe and of the United States were not good for Mexico, since they came with textiles of cotton and linen which they sold at low prices compared to those of the viceroyalty, and as a result there was no demand for its goods, causing loss to manufacturers, agriculture, and the crops; also the precious metals flowed out of the kingdom.[63]

The foregoing discussion shows that at first the Spanish government maintained the doctrine of scrupulous monopoly, which it believed would give greater support to commerce, produce good results for the treasury, and prevent other nations from trading with the American colonies. This was the selfish policy upheld by all nations—that the colonies existed for the benefit of the mother country, and it did not permit any general development of their resources. Like other monarchies, Spain tried to derive economic benefit for its empire, but since it lacked efficient economic organization its efforts merely caused irritation to the colonists, disappointment to the Spaniards, and affronts to foreigners. The huge contraband trade, which helped to weaken the Spanish empire, was only one symptom of this inefficiency.

When the mercantilistic system broke down in other countries and could no longer be enforced, Spain was compelled to modify its commercial system. The result was the regulation of 1778 for restricted free trade. On the whole

63. *Memoria de ynstituto en que se manifiesta, que ni España ha adquirido con la posesión de las Americas las grandes ventajas de que eran susceptibles. . .* Vera Cruz, Dec. 31, 1812, AGI, 2516 (96-3-1). Audiencia de Méjico.

free commerce caused Mexico to progress economically more than ever before; the revenues increased, industry flourished, the standard of living of the people improved, and the population grew. Perhaps more important than anything else, new progressive ideas entered the dependency with foreign commerce and helped to pave the way for independence. Unfortunately the wise measure for free commerce did not have all the beneficial effects expected, for Spain could not keep pace with the vast increase in production and in the volume of international trade which began in the latter part of the eighteenth century. Spain could not provide its colonies with the goods and capital needed for their development; therefore, after having experienced the benefits of free trade, they commenced to realize the possibilities in store for them if they should be able to shake off the Spanish yoke entirely.

SOME SUPPLEMENTARY NEW MEXICAN IMPRINTS 1850-1860

By DOUGLAS C. MCMURTRIE

IN MY article, "The History of Early Printing in New Mexico," which was published in the NEW MEXICO HISTORICAL REVIEW of October, 1929, I submitted a bibliographical list of all products of the press, other than newspapers, from the beginning in 1834 through the year 1860. This list, though bringing to attention a number of most interesting but almost unknown imprints of the Mexican period, was quite obviously deficient in its record of official documents in the early years of the Territory of New Mexico as a part of the United States.

A recent opportunity to visit the Library of Congress enabled me to make notes of titles that practically complete the list of public documents—legislative journals and laws—for the period in question. These titles are here presented in a supplementary bibliography.

Also included in the supplementary list are four broadsides reported by the Henry E. Huntington library. I am glad to acknowledge my obligation to Mr. Willard O. Waters, bibliographer of the Huntington Library, for his interest in giving me information of these interesting items. And through the interest and courtesy of Mr. Lansing B. Bloom, secretary of the Historical Society of New Mexico and editor of its HISTORICAL REVIEW, I am able to add two broadsides discovered by Mr. Bloom in the Bancroft Library of the University of California. One of these, which has been placed at the end of the supplementary list, is as yet undated and is included provisionally. Mr. Bloom also found in the Bancroft Library copies of the election proclamations listed in the bibliography in my former article as Nos. 15, 16, 17, 18, and 20, and a copy of the proclamation listed as No. 32. I am glad to be able to credit these broadsides to the Bancroft collection.

Still unknown to me are any printed copies of the Spanish version of the acts of the two legislative sessions of 1851, the Spanish version of the House Journal of the session of December, 1854, and the English version of the Council Journal of the session of 1858-59. The Spanish version of the Council Journal of the session of December, 1852, I have not yet succeeded in locating, but have found record of it in an auction catalogue.

Of the messages of the territorial governors to the legislature I have been able thus far to account for four in printed form—those of December, 1852, and December, 1857, in English, that of December, 1855, in both English and in Spanish, and that of December, 1856, in Spanish only.

The few gaps still remaining in the list of New Mexican public documents are here mentioned in the hope that search for them will be stimulated and that they will sooner or later be brought to light and put on record.

Donaciano Vigil, Gobernador Interino | del Territorio de Nuevo Mexico, A los | Habitantes del Mismo: Sabed. | [*28 more lines*]. [81]

22 x 32 cm. Broadside.

Dated at Santa Fe, 22 February, 1847.

Proclaims that in fighting the Navajo Indians, the effects of the hostiles may be seized as booty and distributed by the citizen forces, and regulates the distribution.

Bancroft Library.

Proclamation | of the | Governor. | [*Double rule*] | James S. Calhoun, | Governor of the Territory of New Mexico. | To all whom it may concern: | [*49 lines*] | Given under my hand at the city of | Santa Fe, this 12th day of March, | 1851. | Jas. S. Calhoun. | By the Governor, | H. N. Smith, | Secretary of the Territory. [82]

17 x 35.5 cm. Broadside. Text, in English and in Spanish, in 2 columns, separated by column rule; Spanish text in right-hand column.

Henry E. Huntington Library.

Proclamation. | James S. Calhoun, | Governor | of the Territory of New Mexico. | [*Double rule*] | To the People of Said Territory. | [*44 lines*] | Given under my hand at the City of Santa | Fe, this 18th day of March, A. D. 1851. | James S. Calhoun, | Governor. [83]
24.5 x 35 cm. Broadside. Text, in English and in Spanish, in 2 columns, separated by column rule; Spanish text in right-hand column.
Henry E. Huntington Library.

Territorio de Nuevo Mejico. | Departmento del Ejecutivo. | Santa Fe, Nuevo Mejico, | Marzo 19, de 1851. | Al Cacique, Gobernadores i Principales de | [*Blank space for name*] | [*13 lines*] | James S. Calhoun, Gobernador, | i Superintendente de Negocios Indios. [84]
17 x 25 cm. Broadside.
Text begins: Los Indios salvajes que diariamente estan asesinándo i robando el pueblo de Vds. deben ser exterminados o castigados . . .
Henry E. Huntington Library.

Las Actas | de | La Camara de Representantes | del | Territorio de N. Mejico; | siendo | la segunda sesion de la primera Asamblea Legislativa | comenzada y tenida | en la Ciudad de Santa Fé, | Diciembre 10 de 1851. | [*Dotted rule*] | Santa Fé, | Collins, Kephart & Ca., Impresores. | MDCCCLIII. [85]
15.5 x 24 cm. 265 p. Printed brown paper wrappers.
Library of Congress.

Journal | of the | Honorable Council | of the | Territory of N. Mexico; | being the | second session of the first Legislative Assembly, | begun and held | in the City of Santa Fe, December 1, 1851. | Printed in the Santa Fe Gazette Office. | 1854. [86]
14 x 21.5 135 p.
Library of Congress.

Diario | del | Consejo | del | Territorio de N. Mejico. | Siendo | La segunda sesion de la primera Asamblea | Legislativa | principiada y tenida | en la Ciudad de Santa Fe, | Diciembre

de 1851. | [*Rule*] | Santa Fe: | J. L. Collins y W. W. H. Davis, Impresores. | MDCCCLIV. [87]
14 x 21.5 cm. 133 p.
Library of Congress.

Journal | of the | Honorable Council | of the | Territory of N. Mexico; | being the | second session of the first Legislative Assembly, | begun and held | in the City of Santa Fe, December 6, 1852. | Printed in the Santa Fe Gazette Office. | 1854. [88]
14 x 21.5 cm. 117 p.
This session was actually of the second Legislative Assembly, and is so designated on the title page of the laws for this session.
Library of Congress.

Diario | del | Consejo | del | Territorio de N. Mejico; | siendo | la segunda sesion de la primera Asamblea | Legislativa | principiada y tenida | en la Ciudad de Santa Fé, | Diciembre 6 de 1852. | [*Dotted rule*] | Santa Fé: | J. L. Collins y W. W. H. Davis, Impresores. | MDCCCLIV. [89]
14 x 21.5 cm. 117 p.
Title should have read "primera sesion de la segunda Asamblea Legislativa."
Library of Congress.

Journal | of the | House of Representatives | of the | Territory of N. Mexico; | being the | second session of the first Legislative Assembly, | begun and held | in the City of Santa Fe, December 6, 1852. | Santa Fe, | J. L. Collins & W. W. H. Davis, Printers | MDCCCLIV. | [90]
14 x 21.5 cm. 293 p. (last page misnumbered 193).
This was actually a session of the second Legislative Assembly.
Library of Congress.

Diario | de la | Camara de Representantes | del | Territorio de N. Mejico. | Siendo | la segunda sesion de la primera Asamblea Legislativa | principiada y tenida | en la Ciudad de Santa Fe, | Diciembre 6 de 1852. | [*Dotted rule*] | Santa Fe, | J. L. Collins y W. W. H. Davis, Impresores. |

MDCCCLIV. [91]
14 x 21.5 cm. 290 p.
Title should have read "Primera sesion de la segunda Asamblea Legislativa."
Library of Congress.

Journal | of the | Legislative Council | of the | Territory of New Mexico; | being the | first session of the second Legislative Assembly, | begun and held | at the City of Santa Fe, December 5th, 1853. | [*Dotted rule*] | Santa Fe, | J. L. Collins & W. W. H. Davis, Printers. | MDCCCLIV. [92]
14 x 21.5 cm. 296 p.
This session was actually the first session of the *third* Legislative Assembly and is so designated on the title page of the laws of the session.
Library of Congress.

Diario | del | Consejo Legislativo | del | Territorio de N. Mejico; | siendo la primera sesion de la segunda Asamblea | Legislativa | principiada y tenida | en la Ciudad de Santa Fe, | el dia 5 de Diciembre de 1853. | [*Dotted rule*] | Santa Fé: | J. L. Collins y W. W. H. Davis, Impresores. | 1854 [93]
14 x 21.5 cm. 323 p.
Title should read "primera sesion de la tercera Asamblea Legislativa."
Library of Congress.

Journal | of the | House of Representatives | of the | Territory of N. Mexico; | being the | first session of the second Legislative Assembly, | begun and held | in the City of Santa Fé, | December 5, 1853. | [*Dotted rule*] | Santa Fe: | J. L. Collins & W. W. H. Davis, Printers. | MDCCCLIV. [94]
14 x 21.5 cm. 443 p.
This session was actually the first session of the *third* Legislative Assembly.
Library of Congress.

Diario | de la | Camara de Representantes | del | Territorio de N. Mejico. | Siendo | la primera sesion de la segunda Asamblea Legislativa | principiada y tenida | en la Ciudad de Santa Fe, | Diciembre 5 de 1853. | [*Dotted rule*] | Santa

Fe, | J. L. Collins y W. W. H. Davis, Impresores. | MDCCCLIV. [95]
14 x 21.5 cm. 441 p.
Title should read "tercera Asamblea."
Library of Congress.

Journal | of the | Honorable Council | of the | Territory of N. Mexico; | being the | first session of the first Legislative Assembly, | begun and held | in the City of Santa Fe, June 3, 1851. | [*Dotted rule*] | Printed in the Santa Fe Gazette Office, 1855. [96]
14 x 21.5 cm. 120 p.
Library of Congress.

Diario | del | Consejo | del | Territorio de N. Mejico. | Siendo | la primera sesion de la primera Asamblea | Legislativa | principiada y tenida | en la Ciudad de Santa Fe, | Junio 3 de 1851. | [*Rule*] | Santa Fe: | J. L. Collins y W. W. H. Davis, Impresores. | MDCCCLV. [97]
14 x 22 cm. 120 p.
Library of Congress.

Journal | of the | House of Representatives | of the Territory of New Mexico; | being | the first session of the first Legislative | Assembly, begun and held in the | City of Santa Fé, | June 3, 1851. | [*Wavy rule*] | Santa Fé: | Printed in the Santa Fé Weekly Gazette Office; | MDCCCLV. [98]
13.5 x 21.5 cm. 146 p.
Library of Congress.

Diario | de la | Camara de Representantes | del | Territorio de Nuevo Mejico: | siendo | la primera sesion de la primera Asamblea | Legislativa, principiada y tenida | en la Ciudad de Santa Fé, Junio 3, 1851. | [*Filet*] | Santa Fé: | Imprimido en la Oficina de la Gaceta. | MDCCCLV. [99]
13.5 x 22 cm. 162 p.
Library of Congress.

Journal | of the | Honorable Council | of the | Territory of N. Mexico; | being the | second session of the third Legisla-

tive Assembly, | begun and held | in the City of Santa Fe, December 4, 1854. | Printed in the Santa Fe Gazette Office. | 1855. [100]
14 x 21.5 cm. 235 p.
This session was actually the session of the *fourth* Legislative Assembly and is so designated on the title page of the laws of the session.
Library of Congress.

Journal | of the | House of Representatives, | of the | Territory of N. Mexico: | being the second session of the third Legislative Assembly. | begun and held | in the City of Santa Fe, | December 4, 1854. | [*Dotted rule*] | Printed in the Santa Fe Gazette Office. | 1855. [101]
14 x 22.5 cm. 285 p.
This was actually the session of the *fourth* Legislative Assembly.
Library of Congress.

Journal | of the | Legislative Council | of the | Territory of New Mexico; | being | the first session of the fourth Legislative | Assembly, begun and held in the | City of Santa Fé, | December 3, 1855, | [*Wavy rule*] | Printed in the Santa Fe Gazette Office. | 1856. [102]
13 x 22 cm. 56 p.
This was actually the session of the *fifth* Legislative Assembly.
Library of Congress.

Journal | of the | House of Representatives of the | Territory of New Mexico; | being | the first session of the fourth Legislative | Assembly, begun and held in the | City of Santa Fé, | December 3, 1855, | [*Wavy rule*] | Printed in the Santa Fe Gazette Office. | 1856. [103]
13 x 22 cm. 78 p.
This was actually the session of the *fifth* Legislative Assembly.
Library of Congress.

Diario | de la | Camara de Representantes | Nuev [*sic*] Mejico; | December 5, 1855 | [*Dotted rule*] | Santa Fé: |

tive Assembly, | begun and held | in the City of Santa Fe, December 4, 1854. | Printed in the Santa Fe Gazette Office. | 1855. [100]
14 x 21.5 cm. 235 p.
This session was actually the session of the *fourth* Legislative Assembly and is so designated on the title page of the laws of the session.
Library of Congress.

Journal | of the | House of Representatives, | of the | Territory of N. Mexico: | being the second session of the third Legislative Assembly. | begun and held | in the City of Santa Fe, | December 4, 1854. | [*Dotted rule*] | Printed in the Santa Fe Gazette Office. | 1855. [101]
14 x 22.5 cm. 285 p.
This was actually the session of the *fourth* Legislative Assembly.
Library of Congress.

Journal | of the | Legislative Council | of the | Territory of New Mexico; | being | the first session of the fourth Legislative | Assembly, begun and held in the | City of Santa Fé, | December 3, 1855, | [*Wavy rule*] | Printed in the Santa Fe Gazette Office. | 1856. [102]
13 x 22 cm. 56 p.
This was actually the session of the *fifth* Legislative Assembly.
Library of Congress.

Journal | of the | House of Representatives of the | Territory of New Mexico; | being | the first session of the fourth Legislative | Assembly, begun and held in the | City of Santa Fé, | December 3, 1855, | [*Wavy rule*] | Printed in the Santa Fe Gazette Office. | 1856. [103]
13 x 22 cm. 78 p.
This was actually the session of the *fifth* Legislative Assembly.
Library of Congress.

Diario | de la | Camara de Representantes | Nuev [*sic*] Mejico; | December 5, 1855 | [*Dotted rule*] | Santa Fé: |

Printed in the Santa Fé Weekly Gazette Office. | MDCCCLVI. [104]
13.5 x 22 cm. 88 p.
Library of Congress.

Diario | del | Consejo | del | Territorio de Nuevo Mejico; | Diciembre 3, 1855. | [*Wavy rule*] | Santa Fe. | Imprimido en la Oficina de la Gaceta. | MDCCCLVII.
13.5 x 22 cm. 69 p.
Library of Congress (2 copies).

Journal | of the | Council, | of the | Territory of | New Mexico | session of 1855-1856. | Santa Fe. | Printed in the Office of the Democrat, | 1857. [106]
13.5 x 22 cm. 91 p.
The dates of the session should read "1856-57" and on the title page of the Library of Congress copy have been so corrected in pencil. This was the session of the sixth Legislative Assembly.
Library of Congress.

Diario | del | Consejo Legislativo | del Territorio de | Nuevo Mejico, | Sesion de 1856-57, | Santa Fè, | Impreso en la Oficina del Democrata, | 1857.
13 x 22 cm. 93 p.
Library of Congress.

Journal | of the | House of Representatives | of the Territory of | New Mexico | session of 1855-1856. | Santa Fe | Printed in the Office of the Democrat, | 1857. [108]
13.5 x 22 cm. 88 p.
The dates of the session should read "1856-57"; so corrected in pencil on title page of Library of Congress copy.
Library of Congress.

Diario | de la | Camara de Representantes | del Territorio de | Nuevo Mejico, | Sesion de 1856-57, | Santa Fè, | Impreso en la Oficina del Democrata. | 1857. [109]
13 x 22 cm. 89 p.
Library of Congress.

Journal | of the | Legislative Council | of the | Territory of | New Mexico, | being the | first session of the fourth Legislative Assembly, | begun and held at the City of | Santa Fe, December 7th, 1857. | 1858. [110]
12.5 x 22 cm. 93 p.
This was actually the session of the *seventh* Legislative Assembly.
Library of Congress.

Diario | del | Consejo Legislativo | del | Territorio de | Nuevo Mejico, | siendo la | primera sesion de la cuarta Asamblea Legis- | lativa principiada y tenida en la Ciudad | de Santa Fe, | Diciembre 7 de 1857. | 1858. [111]
13 x 22 cm. 94 p.
This should read "Septima Assemblea."
Library of Congress.

Journal | of the | House of Representatives | of the | Territory of New Mexico. | Session 1857-58. | [*Filet*] | Santa Fe: | Printed at the Office of the Santa Fé Gazette. | 1858 [112]
12.5 x 21.5 cm. 127 p.
Library of Congress.

Diario | de la | Camara de Representantes, | del Territorio de | Nuevo Mejico, | Sesion 1857-58. [113]
12.5 x 21.5 cm. 135 p.
No date and no imprint, but printed at Santa Fe, 1858.
Library of Congress.

Diario | del | Consejo Legislativo | del Territorio de | Nuevo Mejico, | sesion de 1858-59. | [*Filet*] | Santa Fe, A. De Marle, Impresor Publico, | 1859. [114]
13 x 22.5 cm. 88 p.
Library of Congress.

Diario | de la | Camara de Representantes | del Territorio de | Nuevo Mejico, | sesion de 1858-59. | [*Filet*] | Santa Fe, A. De Marle, Impresor Publico, | 1859. [115]
13 x 22.5 cm. 112 p.
Library of Congress.

Journal | of the | Legislative Council | of the | Territory of New Mexico. | Session begun and held in the City of Santa Fé, Decem- | ber 5th, A. D. 1859, being the Ninth Session | of the Legislative Assembly. | [*Filet*] | Santa Fe, N. M. | O. P. Hovey, Public Printer. | 1860. [116]
14.5 x 22.5 cm. 163 p. Printed tan paper wrappers.
Library of Congress.

Diario | del | Consejo Legislativo | del Territorio de | Nuevo Mejico. | Sesion principiada y tenida en la Ciudad de Santa Fé, | el dia quinto de Diciembre, A. D. mil ochocientos | cincuenta y nueve, siendo la Sesion Novena | de la Asamblea Legislativa. | [*Filet*] | Santa Fé, N. M., | O. P. Hovey, Impresor Publico. | 1860. [117]
14 x 22 cm. 176 p.
Library of Congress.

Journal | of the | House of Representatives | of the | Legislative Assembly | of | New Mexico, | Of a Session begun and held in the City of Santa Fé, | Territory of New Mexico, on Monday, the fifth day | of December, A. D. one thousand eight hun- | dred and fifty-nine; | it being the Ninth | Legislative Assembly for | said Territory. | [*Filet*] | Santa Fé, N. M. | O. P. Hovey, Public Printer. | 1860. [118]
15 x 22.5 cm. 171 p. Printed tan paper wrappers.
Library of Congress.

Address | To the People of New Mexico, in relation to their present difficulties with the Navajo Indians. [119]
31 x 19 cm. Broadside, printed in both sides.
Signed and dated: O. P. Hovey, J. M. Gallegos, Miguel E. Pino, Felipe Delgado, Corresponding Committee. Santa Fe, N. M. August 13th, 1860.
Henry E. Huntington Library.

Journal of the Council | of the | Legislative Assembly of New Mexico, | of a | Session begun and held in the City of Santa Fé, Territory | of New Mexico, on Monday, the third day of De- | cember, | A. D. 1860, it being the Tenth | Legislative Assembly for said | Territory. | [*Filet*] | Santa Fe, N.

M. | John T. Russell, Printer, | 1860. [120]
14 x 22.5 cm. 158 p. Printed buff paper wrappers.
The Spanish versions of the Journals of this session are dated 1861.
Library of Congress.

Manifiesto al Pueblo de Nuevo Me- | jico. | Conciudadanos: —Tomo la pluma por la pri- | mera vez, . . . [121]
15 x 22 cm. Small broadside. Text in 2 columns.
Signed at end: Cristobal Sanchez y Baca, | senador por el condado de San Miguel. No date.
Bancroft Library.

[Dec. 1869 ?]
(v. 19th Assembly)

BOOK REVIEWS

A Journal of the Santa Fe Expedition under Colonel Doniphan.—By Jacob S. Robinson. (Princeton University Press, 1932, 96 pp.)

This reprint of a journal kept by a private of the Doniphan Expedition is most acceptable as originals are practically unobtainable. The journal appeared first as Robinson's" Sketches of the Great West," which today has an auction record of $165.00 for the volume. The author's spelling and punctuation are closely followed, but there is no difficulty in identifying place names and local appellations.

Robinson was with the first regiment of Missouri Mounted Volunteers, which was mustered into the service of the United States at Fort Leavenworth on June 6th, 1846. On the 22nd of that month the regiment started on its memorable march across the Plains to Santa Fé, which it reached after fifty-seven days. From Santa Fé, it proceeded to Chihuahua and traversed the states of Durango and Nuevo León, and returned to the United States by way of New Orleans, having in twelve months covered six thousand miles, part of the way fighting and suffering extreme hardships and privations.

The descriptions of people, customs and places are naïve, and yet show the result of keen powers of observation. On July 21st, the advance of the cavalcade encamped at Bent's Fort on the Arkansas to await the arrival of the main command. Robinson described the fort as follows: "It is a block of buildings in the form of a square about 100 by 150 feet with the center open. The buildings are a blacksmith's shop, carpenter's shop, store house, eating room, government room and many lodging rooms—together with a castle one hundred feet square, in which the stock is kept at night. It is built of adobes, or unburnt bricks; the walls

six feet thick, earth floors and similar roof, supported by rails and logs laid across the top of the walls. The Messrs. Bents have in their employ from 100 to 150 men, whose business it is to trap and trade with the Indians. They have good mattress beds, which are spread on the floors, and everything is kept neat and clean. Many of the men have Indian wives. We found here Governor Boggs' son, who has married Mr. Bent's daughter, a half-breed. The women are dressed very well, wear moccasins trimmed with beads about the ankles, which are very small. All who live here seem contented. They sell rum for $24.00 a gallon and tobacco $4.00 a pound; other things in proportion. Among other furniture they have a billiard table. They keep a large stock of mules and horses. They have attempted the cultivation of corn and vegetables and succeeded very well; but the Indians frequently destroying their crops, they had to abandon it. They have a farm at Pueblo Fort where the crops have also been destroyed by the Mexicans this year."

Robinson then proceeds to describe an incident which seems to have made a deep impression on him: "While we remained at Bent's Fort, the first death and burial took place in our camp. Some of the dragoons got intoxicated; and one of them, after having a fight, went into the river to bathe; he returned and lay down beneath a tree, where in a few moments he was found dead—reported to have died of apoplexy. This was on the 24th of July, and on the next day we were called to attend his funeral. He was dressed in his blanket and laid on a rude bier which was hastily constructed of willows, the flag of his country hung by his side; his horse was in front as chief mourner, saddled and bridled, with boots and spurs inverted in the stirrups, and sword, pistols and carbine across the saddle. The band sounded the slow and solemn notes of the dead march, as we bore his body to the grave, over which twenty-four guns were fired, and with a lively air from the band we returned to camp. The next day five men were tried by a court-martial for insubordination, and sentenced each to carry forty

pounds of sand every two alternate hours during the day."

On the 29th of July, a company of infantry arrived at Fort Bent, and according to Robinson these new arrivals were "in good spirits, and in better health than the mounted men" although "the heat is so intense from nine o'clock in the morning until four in the afternoon, that it is almost impossible to move about. Our guns become so hot we cannot handle them, and the sand burns our feet—but the nights are cool and pleasant; and the atmosphere is so clear that the stars retain their brilliancy until they sink beneath the horizon."

By August 2nd, the entire force consisted of fourteen hundred mounted rifle men, two hundred infantry, and two hundred artillery. Robinson refers to the Purgatoire as the Piquet River. When the invading army struck the Mora, they found an Irishman who had settled there, with nearly 1,000 head of cattle and mules. On August 15th, Las Vegas was occupied and the people appeared cheerful and glad to greet the American troops. Says Robinson: "The Mexicans brought us cheese, bread, mutton, onions, etc., which they sold us at very high prices." Las Vegas surrendered without a fight. At San Miguel, however, the alcalde was reluctant to take the oath of allegiance to the United States. He was given to understand that there was no alternative, and he finally submitted. After passing San Miguel two Mexican prisoners were taken "who were men of some note, one of them being a relative of Governor Amigo [Governor Manuel Armijo]. He remarked to General Kearney that although the position of the Mexicans was so strong at the Pass, he could tell them how to defeat them—just fire five or six cannon, no matter which way, and he would insure them all to run. To this General Kearney replied that if that was the case they must be a very cowardly people."

Apache Pass on the route of march on August 18th, the day that Santa Fé was occupied. Robinson remarks: "On a careful survey we saw how easily five hundred good soldiers might have completely destroyed us. The rocky cliffs on

each side were from two to three thousand feet high; and the fallen trees which they had cut down, hedged up our way. We all felt very well satisfied to pass without being attacked. We had all felt very brave before; but we now saw how difficult it would have been to have forced the pass and were glad to be beyond it. After a march of thirty-five miles, without grass for our horses, we at length came in sight of Santa Fe. The city at a little distance more resembles a parcel of brick yards than anything else; but in passing through we found it of considerable extent. The houses are all built of adobes. The city is full of corn and wheat fields; the corn is now fit to roast and the wheat not quite ready to harvest. The people supply themselves with water from three beautiful streams that run through the town, having their sources in a lake to the northwest. With them they also irrigate their corn fields. We entered the city just as the sun was sinking behind a distant mountain; and as its last rays gilded the hilltop, the flag of our country triumphantly waved over the battlements of the holy city; minute guns fired a national salute and the long shout of the troops spoke the universal joy that was felt at the good fortune that has attended us. But we leave the city to encamp—the men weary and hungry; no grass, no wood and nothing to eat, as our wagons have been left behind. On the 19th, our men, hungry and ill-natured in the camp, seemed disposed to fight among themselves, as there was nobody else to fight. One of the volunteers, named Haskins was tried by a court martial for the misdemeanor of an assault upon an officer; and was sentenced to be drummed out of the service. I went to the square where I found cheese for sale, weighing about two pounds for twenty-five cents; four biscuits for twenty-five cents and other little things in proportion. The women I do not think pretty, but there are exceptions."

Suffice it to say that the diary rambles along delightfully as the troops proceeded southward through Galisteo, Santo Domingo and Isleta, witnessing Indian dances and

taking part in Mexican bailes. Robinson was one of the men who were detached to invade the Navajo region by way of Laguna and Zuñi. His description of the Navajo ceremonies and customs is graphic and of some ethnological value. He rejoined his command on the march to Chihuahua, incidentally describing an execution of a Mexican spy who died like a stoic. "When he was asked whether he would have his eyes bandaged or not, his reply was no, he would die facing his enemy. He received the last office of benediction from the priest with perfect composure, struck fire the first stroke of his flint to light his cigar, and commenced smoking as calmly as though he was about to take dinner. When the eight rifles were raised and cocked, not a muscle moved to betoken agitation, but he took his cigar from his mouth, held it between his fingers until the word fire was given and in an instant the warm blood spouted from his forehead and breast and he fell dead. We waited a moment until he was carried off by some women when we turned our horses and resumed our march in silence."

The preface, historical preface and notes by Carl L. Cannon are illumining and of value to the student. However, even the casual reader will find the book decidedly worth his while.—*P. A. F. W.*

Cope: Master Naturalist. The life and letters of Edward Drinker Cope, with a bibliography of his writings classified by subject. A study of the pioneer and foundation periods of vertebrate paleontology in America. By Henry Fairfield Osborn, senior geologist, U. S. geological survey; honorary curator, department of vertebrate paleontology, American Museum of Natural History. With the co-operation of Helen Ann Warren [and others]. Illustrated with drawings, and restorations by Charles R. Knight under the direction of Professor Cope. (Princeton University Press, 1931. London: Humphrey Milford, Oxford University Press. 740 pp. $5.00.)

American biography and the history of natural science are both distinctly enriched by the publication of this extensive and really adequate life of one of the country's, and of the world's, greatest naturalists and natural philosophers. The idiosyncratic quality, variety, and abundance of the subject's genius is captured and exhibited for the reader with remarkable skill and gratifying success. The book is the outgrowth of years of knowledge and experience of general and special studies, and figures against a uniquely suitable background of familiarity alike with Cope and with the field, or fields, of his labors. A labor of love and extreme care, it reveals the man directly, largely through his correspondence, also by just characterization and personal reminiscences. It is a balanced book, well systematized, picturesquely descriptive, frank and personal, sympathetic yet impartial, containing a vast deal of technical information as a guide to the student, and many highly readable pages of dramatic narrative and the quotation of brilliant, meaty, or witty sallies by Cope himself. The preparation has been painstaking, co-operative, partly a polygenetic compilation, analyzed and synthesized de novo; and its inclusiveness is, on the whole, all that could be desired. Even its omissions are in good taste, and leave the reader in want of nothing essential for a proper understanding of Cope and his work.

The career of Cope (Philadelphia, United States, and the world, 1840-97), his specialties, contributions, explorations, interpretations, personal idiosyncrasies, successes and trials, even his voluminous publications, must here be passed over without a word of summary.

Cope was a pioneer in exploration and discovery both in zoölogy and geology, especially in vertebrate paleontology, whose work in our state figures prominently in the history of American science and whose discoveries in the paleontology of the state throw considerable light upon its geological history.

New Mexico figures in some ways above all other states in the record of Cope's remarkable career. In 1874 Cope

joined the Wheeler (U. S. geological) survey of the territories west of the 100th meridian, entering the virgin territory of New Mexico, as yet untouched by paleontologists—[either by Laidy or March or any other]. His greatest work was done in the *Coryphodon* beds of the lower Eocene, beneath which he discovered the basal Eocene beds which he called the *"Torrejón"* and the *"Puerco"* immediately above the Cretaceous dinosaur beds. This was an entirely new discovery and the fauna were both characteristic and archaic. This paleocene Puerco horizon of Cope ranks among the first of his geological discoveries, and by some is considered such. Later he found mammaliferous upper Miocene and lower Pliocene marl beds near Santa Fe, with the remains of rhinoceri, mastodents, camels and carnivors. His letters and diaries abound in natural history and botanical observations. In the lower Eocene Wasatch beds many fossil mammals, and reptiles galore, even birds and fishes, were brought to light. Important studies were made of the living fauna, especially reptiles, of the state, which figure prominently in long subsequent publications. His letters of this place and period abound in humanly interesting historical incidents of his journey, reference to the Navahoes, etc., and occupy several pages. In 1883 he is again in New Mexico, writing interesting letters home and exploring the Cretaceous. We cannot enumerate new genera and species found, but richly indeed did New Mexico contribute, through the pioneer, Cope, to our knowledge of the ancient life and history of our continent.

William Harper Davis.

BIENNIAL REPORT OF THE PRESIDENT
1930-1931

Members of the New Mexico Historical Society:

I am deeply appreciative of the honor conferred by your re-electing me for the fourth consecutive time for a two-year term as your president. In turn, I point with pride to the achievements for the society and the cause it represents through the faithful and brilliant work of my fellow officers.

Foremost among the attainments of the past two years is the building and completion of the east wing of the Palace of the Governors, especially planned for library and reading room. Its dedication was made an event of state-wide importance in which the governor of the commonwealth and other distinguished guests took part. Under the direction of the librarian of the society, Mrs. Rupert F. Asplund, the books in the various libraries housed on the premises not only of the Palace of the Governors, but also of the Art Museum, were added to the collections of the Historical Society, scientifically catalogued and shelf-listed and placed so as to be available to the scholars and students who frequent the library in increasing numbers. Additions are being made by gift and purchase and while lack of funds prevents the acquisition of many desirable volumes, continuous effort is made to obtain every worthwhile publication appertaining to the history of the state. In addition to the new library, several rooms along the northern boundary of the Palace patio have been renovated and reconstructed for office, newspaper files, stack rooms and library extension pack rooms. No doubt, the librarian will render a detailed account of the noteworthy work that is being done under her supervision.

Under the guidance of Dr. Edgar L. Hewett, director of the Museum, his assistants, as well as the staff of the

library and the Historical Society, all exhibits of the society have been rearranged and scientifically displayed in period rooms and chronological order. Non-essential and duplicate objects have been stored in the fire-proof basements of the Art Museum.

The attractiveness of the exhibits, as now displayed, is commented upon by many visitors who tell us that the material and arrangement compare favorably with those of historical societies of much wealthier states, and even surpass them. There are constant additions by gift or purchase to these exhibits. However, here again, lack of funds compels us to decline the offer of objects which should be kept in the state for their historical value; yet, no effort is spared to obtain objects of real importance. From time to time, new displays of historical material are made, especially in the way of the invaluable manuscripts and maps of which the society has possession.

Mainly through the indefatigable labors of your corresponding secretary and treasurer, Mr. Lansing Bloom, the *New Mexico Historical Review* has appeared regularly each quarter and has added many studies of much interest to available printed material. We can continue to point with pride to this quarterly which is the peer of other historical periodicals both in scholarliness and appearance. The Museum and University Press deserve commendation for the manner in which the quarterly is printed at a cost that has kept it within reach of the society's budget. Several of the more important contributions have been issued as separates or bulletins. The Quivira Society, mentioned in my last report, has just brought out its second volume.

Mr. Bloom continues on the faculty of the University of New Mexico. Since the last biennial report he has been in Mexico City as research worker and obtained much source material for historical study. He will present in his report a review of archive and other work during 1930 and 1931, which has redounded to the advantage and usefulness of the society.

The passing of Curator Henry Woodruff and the resignation of Mrs. Woodruff, both of whom for forty years served the society faithfully, were given recognition in suitable manner and recorded in the state press as well as the *Historical Review*. The selection of Miss Hester Jones to succeed them was a happy one, for she has given every proof of ability and success, both as hostess to the thousands who pass through the Palace of the Governors and as a scholarly and painstaking curator who takes a delight in her duties. Miss Jones is making a special study of the implements, utensils and appliances of the Spanish period in New Mexico, a study that will be published eventually in the *Review*. Her report as curator will go into details of considerable interest to every member of the society.

Governor Arthur Seligman and the legislative assembly were generous in their recognition of the society's needs. There are constitutional limitations to the amount that is appropriated for the general fund of the society but there is no inhibition which prevents grants for special purposes and work. However, there is need for endowments and gifts. Worlds of source material await careful study, hundreds of valuable books and pamphlets are in need of binding, priceless newspaper files need to be sorted, catalogued, indexed and bound, uniform cases for exhibits are much needed.

The Spanish Colonial Arts Society has taken a commendable interest in our work, and it is with sadness that we record the passing of one its leading spirits and a warm friend of the Historical Society, Mr. Frank G. Applegate. The material exhibited by the Arts Society is of an especially attractive nature and adds much to the fame of the Palace of the Governors as a treasure house of historical and archaeological interest.

Every effort is made to hold regular meetings at which papers and addresses of historical interest are presented. The attendance has been good and the addresses well worthy of serious publication.

No sustained effort has been made for the gaining of additional members. The prevailing financial depression seemed to make a membership campaign inadvisable. Some thought has been given to amalgamating the New Mexico Archaeological Society with the Historical Society. This would be desirable for many reasons. Perhaps an arrangement creating several classes of active membership whose dues would be governed by the publications each receives, will prove the basis. The matter of local societies has received attention and it is a pleasure to report the organization of such a society with a museum of its own, at Las Vegas, where, through the efforts and generosity of J. D. W. Veeder and the assistance of Dr. C. H. Gossard, the president of the Normal University, more than a hundred memberships have been obtained and there is every promise of active archaeological and historical research work.

Dr. Edgar L. Hewett and his staff are giving every possible assistance in the proper installation of the museum exhibits in the Meadow City. Branch museums and archaeological societies which are interested in the history of their section have been organized in Silver City in connection with the State Normal School there, at Carlsbad, Roswell, and in other places.

That the New Mexico Historical Society enjoys the good wishes of a host of friends not only in the state, but throughout the nation, is manifest by gifts of exhibit material, books and magazines, by correspondence, exchanges and publicity generously given by the press.

There has been hearty cooperation among your officers, and these look forward confidently to further progress and attainments during the years to come.

PAUL A. F. WALTER, *President.*

January 19, 1932.

BIENNIAL REPORT OF THE SECRETARY-TREASURER

During the two years of the past biennium your secretary-treasurer has continued in residence in Albuquerque, in connection with his work at the University of New Mexico, and by arrangement already in effect between our society and the Museum of New Mexico most of the routine correspondence of the dual office has been handled through the museum office. Correspondence which has been referred to your secretary personally to handle has included communications not only from various parts of the United States, but from Mexico, England, Germany, France, Spain, and Italy, and even from Uruguay.

With limited resources and under limitations also as to time available, we have been continuing the archive work in which our society is interested. From July to December, 1930, your secretary was in Mexico City, by joint arrangement with the University of New Mexico and the School of American Research; and (as has already been reported to you) brought back in photographic form some 17,000 pages of archive material relating to the history of New Mexico prior to the year 1760.

During the summer of 1931, through a small fund provided by the Museum of New Mexico and our society, Mrs. Bloom and daughter, Carol, carried on work—the former in continuing the calendar of the "New Mexico archives" and finishing to about the year 1839; the latter making a start in the large task of printing (a) the archives secured from Spain through our arrangement with the Library of Congress, and (b) those secured in Mexico. After helping them to begin this work, your secretary went to California and did some work at the Bancroft Library, Berkeley, and at the Huntington Library, San Marino. In both of those libraries he found considerable archive ma-

terial which unquestionably once formed part of the official archives in Santa Fe. While the libraries at Berkeley and San Marino are delightful places in which to work, it is unfortunate that the old records of New Mexico should be thus scattered, and an effort should be made to have them restored to Santa Fe.

It was not possible this past fall to continue the archive work in Mexico, but it will be of interest to the members to know that arrangements are now pending, so that this work may be continued during the coming summer, or possibly next fall.

Part of your secretary's correspondence has been in connection with his duties as editor of our *Historical Review*. The results in part are found in the issues of the last two years, to which some thirty different writers have contributed.

One pleasant duty this last fall was to follow up the action by the executive committee in nominating three new Fellows. By the returns received, Percy F. Balwin, France V. Scholes, and Alfred B. Thomas have been unanimously elected to that body. In this connection I might report also that Professor Scholes has been succeeded as an associate editor of our quarterly by Dean Baldwin, of the Agricultural College of New Mexico.

Through our correspondence we are frequently offered accessions for our historical museum or for the library, and far too often it is necessary to reply that we are unable to consider them. Some months ago Mrs. Barbara Aitken reported important documentary material as available from an estate in England, material of value in Southwestern history. An offer was made through her, but we have not yet had any definite word.

Recently the original papers of Lieuts. Emory and Abert, and Capts. Cook and Johnston, of 1846-47, with accompanying drawings of more than seventy battlefields, cities, and ancient ruins were offered in typed copy,—if we would pay for the cost of the transcript. In reply, we

asked whether the owner would allow us to examine the material, especially the drawings. Some of the latter might be of very great interest to us and to the school; but if so, could we manage to buy them? It is the old embarrassing problem of funds which are far too meager to acquire and conserve the historical materials which our state should have.

A summarized statement follows from the treasurer's books for the past two years:

January 21, 1930—Balance on hand	$ 533.31	
January 1 to June 30		
Received from State Treasurer	1,037.00	
Received from other sources	521.88	
	$2,092.19	
Disbursed		$1,696.61
Balance on hand		395.58
July 1, 1930—Balance on hand	395.58	
July 1, to January 1, 1931		
Received from State	1,000.00	
Received from other sources	1,013.05	
	2,408.63	
Disbursed		2,051.13
Balance on hand		357.50
January 1, 1931—Balance on hand	357.50	
January 1 to June 30		
Received from State	1,000.00	
Received from other sources	889.49	
	2,246.99	
Disbursed		1,866.80
Balance on hand		380.19
July 1, 1931—Balance on hand	380.19	
July 1, 1931 to December 30		
Received from State	1,250.00	
Received from other sources	768.29	
	2,398.48	
Disbursed		2,163.32
Balance on hand		235.16

With regard to our financial record, the following tabulation of revenues during the last two bienniums may be of nterest:

	January balance	*from State*	*from other sources*
1928:	$943.67	$2,166.66	$ 693.28
1929:	650.46	1,833.34	896.71
1930:	533.31	2,037.00	1,534.93
1931:	357.50	2,250.00	1,657.78

The state appropriations just about carry our overhead, although salary and office expense have about doubled since the preceding biennium. The decrease in the balances is accounted for in part by the fact that, during 1928-1929, $1,200 was put into archive work in Spain; and, in 1930, $500 was invested in similar work in Mexico.

The increase in revenue from "other sources" is mostly accounted for by the fact that at the close of 1929 our annual dues were changed from $1.00 to $3.00 a year, the present rate carrying with it subscription to our quarterly which until then had been additional. The increase is partly explained also by greater revenue from sales of publications. An interesting fact is that receipts from these two sources just about offset our present expenses of publication. Payments to the press during 1930 totalled $1,314.51; during 1931 they were $1,465.80. In other words, our annual dues are not yet sufficient to cover entirely publication costs; but the deficit is covered by the sales of back files, and of our other earlier publications, and also by commissions on sales of the Twitchell publications.

In this connection, it might be well to note that from the sales of our bulletin No. 24, the "Fort Marcy fund" now stands at $168.06; and the total sales to date of Father Meyer's special paper on St. Francis and Franciscans in New Mexico for the "Cross of the Martyrs fund" have been $52.00.

Advertising in the quarterly brought in $150 during 1930, and $102.85 in 1931. We have had none in the last two issues.

Our society has suffered the loss by death of three of our life members:

José E. Chaves, New York City
Edward P. Davies, Santa Fe
Henry Woodruff, Santa Fe

In this group there has been one addition, that of Mrs. Willi Spiegelberg, of New York City, whose husband came to Santa Fe in 1859 to join his merchant brothers.

As of January 1st, our membership stands as follows:

Honorary life	6
Life members	35
Annual members	210
Total	251

This is an increase of 30 over the total shown in our last biennial report. Over half of the annual members have not yet paid their dues for the year 1932, but we do not anticipate that many of them will allow their membership to lapse. Slowness in payment is incident to the present general depression, and a follow-up letter is already bringing a good response.

Respectfully submitted,

LANSING B. BLOOM,
Corresponding Secretary-Treasurer

January 19, 1932