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## THE SPANISH TOBACCO MONOPOLY IN NEW MEXICO

1766-67

*By* LAWRENCE KINNAIRD\*

**I**N MARCH 1766 the inhabitants of New Mexico were forbidden by viceregal proclamation to plant their customary crops of tobacco. The Spanish government, as a part of its program to increase revenues, had taken over the tobacco industry in New Spain and created a monopoly under which tobacco cultivation was prohibited in all except three districts. In New Mexico, where tobacco was extensively planted, the establishment of the monopoly upset an important part of frontier economy and affected relations with the neighboring warlike Indians who were accustomed to obtain their supply from that grown by the inhabitants. Governor Vélez and his successor Governor Mendinueta both recognized that, to an appreciable extent, tobacco cultivation in New Mexico and frontier defense were related. They also realized that complete enforcement of the prohibition was impossible and probably not desirable.<sup>1</sup>

The Spanish government had long considered the possibility of establishing a tobacco monopoly. The step had been deferred chiefly because of fear of opposition in the colonies and possible local disorders. In 1642, Viceroy Palafox had recommended that the monopoly be created. He maintained that the advantages to the government would be greater than any dangers involved.<sup>2</sup> Finally, as a part of the "reforms of Carlos III," the tobacco monopoly was established. Arriaga, the Minister of the Indies, sent the order in 1761 to the Marqués de Cruillas, viceroy of New Spain. Since Spain became involved in the Seven Years' war early in 1762, the viceroy delayed the matter. How-

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1. See documents at end of this article.

2. Hubert Howe Bancroft, *History of Mexico* (6 vols., San Francisco, 1883-87), III, 613.

ever, in 1764 he instituted governmental sale of tobacco. The first tobacco distributed in this manner was imported from Cuba.<sup>3</sup>

By the latter half of the eighteenth century tobacco growing in New Spain had become a very important economic activity and consequently its regulation was an essential step in the creation of a monopoly. At first the sale of Tobacco was entrusted to Juan José Echeveste, but the necessity of enlarging the plan in order to obtain greater revenue, resulted in turning the business over to Jacinto de Espinosa, who was appointed director and organizer, and to a *junta* which was created to assist him. This *junta*, which included the viceroy, evolved a plan for the gradual liquidation of private interests involved in the production and sale of tobacco. Espinosa prepared *bandos* or proclamations which the viceroy signed and published on December 14, 1764 and January 18, 1765. They prohibited the growing of tobacco in all parts of New Spain except Córdoba, Orizaba, and Tesuitlán. Since these districts produced the best quality and largest quantities of tobacco they were selected to supply the monopoly. Their *alcaldes mayores* were ordered to send representatives of the planters to Mexico City to work out a contract with Espinosa. The agreement was eventually approved by the *junta* and signed on February 21, 1765. Espinosa recommended that the sales rights under the monopoly should be leased to the bishoprics of New Spain and on April 30, 1765 the *junta* so ordered. A *bando* was issued on June 1st covering the details of the plan.<sup>4</sup>

Instructions for the establishment of the tobacco monopoly in New Mexico reached Governor Vélez on November 26, 1765. The viceroy's letter was dated September 14, 1765 and in it he enclosed ten printed copies of a proclamation of September 10 which prohibited all tobacco planting thereafter.<sup>5</sup> Vélez did not publish the proclamation at once.

3. Herbert Ingram Priestley, *José de Gálvez, Visitor-General of New Spain, 1765-1777* (Berkeley, 1916), 142-143.

4. *Ibid.*, 54, 55, 143-145; Proclamation of the Marqués de Cruillas, June 1, 1765 (printed but signed with rubric), Bancroft Library, University of California.

5. Proclamation by Thomas Vélez Cachupín, March 4, 1766, MS., Bancroft Library.

Instead he drew up a report dated January 3, 1766 in which he discussed the economic situation of New Mexico and the detrimental effects which would result from the new regulations.<sup>6</sup> He explained that the inhabitants, both Spanish and Indian, were accustomed to grow a kind of tobacco called *punche*.

The characteristics and origin of *punche* recently have been the subject of considerable speculation and study by scholars. Professor Leslie A. White, in an article entitled *Punche: Tobacco in New Mexico History*, asked the following questions: "What kind of tobacco was called *punche* in the eighteenth century? Was it an indigenous plant or one introduced by the Spaniards? Did the Indians learn to grow *punche* from the Spanish colonists?"<sup>7</sup>

According to Governor Vélez, the seed of *punche* had been brought from the province of Córdoba and Orizaba in Mexico. Apparently the Pueblo Indians had acquired the seed from their Spanish neighbors. In New Mexico the quality of the tobacco had deteriorated because of poor cultivation and curing, but it was so universally grown and used that its prohibition would be difficult. The governor wrote as follows:

La calidad de este Tavaco Punche es semilla que an yntroducido del de Cordova, y Orizava; pero en esta region se produce sumamente fuerte, y bastardeada, y careciendo de el legitimo veneficio, es dañoso; pero la fuerza de el vicio lo tolera; y estas gentes que todas son laboradoras siembra cada uno respectivamente, el que necesita para su gasto, y venta alas Varbaras naciones de Yndios con quienes se tiené amistad y comercio; y con especialidad a la de los Cumanches que son los que mas consumen: Ygualmente los Yndios naturales en sus Pueblos, también lo siembran para su gasto y a estos les a de ser aun mas sensible la privacion de la siembra y dificil de conseguir, pues en los centros de las Sierras como practicos de ellas, y entre sus Maizales será ymposible evitar lo egecutado Pero Yo atento a las ordenes de VE. publicaré los vandos a principios de Marzo, que es quando, ya se ha régresado la Vecindad de hacer sus

6. Vélez to Cruillas, January 3, 1766, Tomo 102, Provincias Internas, Archivo de la Nación, Mexico. Bancroft Library transcript.

7. *New Mexico Historical Review*, XVIII (October, 1943), 393.

comercios foraneos de la Vizcaia, y estan proximas las siembras de todas Semillas; pues hasta entonces no se puede hacer el cultivo, por lo elado y frio de la tierra cubierta de Nieve; y celaré con toda mi aplicacion el que se verifique la prohibicion de la siembra del tal tav.<sup>co</sup> en todo mi Governacion.<sup>8</sup>

Consequently, before planting time in the spring, Governor Vélez ordered that the proclamations prohibiting the cultivation of tobacco be made public in all the towns and pueblos of his jurisdiction. As expected, there was a shortage of tobacco the following year and much discontent among the settlers and Indians. The royal treasury profited little because the New Mexicans had insufficient funds to buy tobacco from the monopoly and, lacking *punche*, they turned to the use of *mata*, pennyroll [*poleo*] and other wild plants as substitutes.<sup>9</sup>

When Pedro Fermín de Mendinueta succeeded Vélez as governor early in 1767, he inherited the tobacco problem. He also found a letter waiting for him from the Marqués de Croix, the new viceroy, asking for information upon the situation. Mendinueta, in preparing his answer, consulted his predecessor because Vélez had more knowledge of New Mexico since he had been its governor for sixteen years.<sup>10</sup> On May 19, 1767 Mendinueta replied to the viceroy's letter and explained the difficulties and dangers of enforcing the monopoly in New Mexico. He obviously agreed with the opinions of Vélez because the ideas expressed were similar to the latter's contained in the letter of January 3, 1766. Under the cover of polite verbiage both governors made it clear that they considered the prohibition of the cultivation of tobacco to be a detriment to the welfare and safety of the province.<sup>11</sup>

The order of Governor Vélez dated March 4, 1766 and the letter by Mendinueta of May 19, 1767 to Viceroy Croix are given here in full because they show how the tobacco monopoly was proclaimed and what effects the suppression

8. Vélez to Cruillas, January 3, 1766, as cited.

9. Pedro Fermín de Mendinueta to Marqués de Croix, May 19, 1767, MS. (unsigned copy), Bancroft Library.

10. Alfred Barnaby Thomas, *The Plains Indians and New Mexico, 1751-1778* (Albuquerque, 1940), 21-38.

11. Mendinueta to Croix, May 19, 1767, as cited.

of the cultivation of *punche* had upon the people of New Mexico.

*Prohibition of Tobacco Cultivation in New Mexico, March, 1766*<sup>12</sup>  
Don Thomas Vélez Cachupín, Governor and Captain-General of this Kingdom of New Mexico and Warden in command of the Royal Presidio of Santa Fé for His Majesty.

Whereas, on the date of the 14th of September of the past year of 1765, I received a letter by order of his Excellency Señor Viceroy of these Kingdoms of New Spain, the Marqués de Cruillas, in which he encloses ten copies of printed proclamations regarding the administration of tobaccos of both species on the account of his Majesty in all the kingdom and Provinces of this New Spain; whereas, His Excellency orders me to make these proclamations public in all the jurisdiction under my government, for public information that all planting of tobacco is prohibited except in the districts ordered in the proclamation issued on the 10th of September of the said past year; whereas, the inhabitants of the interior of this Kingdom, who were away in the Province of Viscaya on their regular annual trip to carry on the customary sale of their products and goods, have returned to their districts at the time when the aforesaid letter and order were received from the Señor Viceroy; and whereas, this is exactly the time when planting of every kind of seed begins in this country: I consequently command in prompt and punctual execution of the order of his Excellency, the Señor Viceroy, that these proclamations be published in this capital villa of Santa Fé, in the customary manner and places, to the sound of the beating of the war drum, so that it may come to the knowledge of all. This will be done by the Alcalde Mayor of this villa, Don Francisco Guerrero, placing at the end of this proclamation the judicial affidavit that it has been done.

And in order that it may also be made known to the other districts of my government, I sent to the Alcaldes Mayores of each of them a copy of the said printed proclamations, so that they may be published respectively in them, and care taken that planting of the tobacco called *punche* shall not be made, either in the Pueblos of the Indians or in the settlements of Spaniards and other civilized people. The said Alcaldes Mayores shall inspect, at the times that seem best to them, the lands in their respective jurisdictions, to discover whether there is any violation of the prohibition of the planting of the tobacco called *punche*.

And if they discover any plantings of this kind they shall proceed to destroy them and send to me as prisoners to the jail of this town the offenders, owners of the plantings, so as to proceed against them according to what is ordered in the said proclamation of the 10th of

12. Translation of MS. in Bancroft Library.

September. And for all omissions, neglect, or deceit in this execution of which the Alcaldes Mayores and their lieutenants may be guilty, they will be held responsible, and proceedings will be instituted against them in conformity with the law. The Alcaldes will send me a report of having executed the order, and they shall be sent a copy of this order, which they will also make public preceding the Proclamations, for the general information. The original of this order shall be placed in the archive of this government. Done at this capital of Santa Fé of New Mexico on the 4th of March, 1766, signed by my hand, and by two witnesses in my presence, for lack of notaries, of whom there are none of any class in this district.

THOMAS VÉLEZ CACHUPIN [rubric]

Witness CARLOS FERNANDEZ [rubric]

Witness JOSEPH MALDONADO [rubric].

*Publication of the Proclamations*

In this capital town of the state of New Mexico on the ninth day of the month of March, 1766.

I, Don Francisco Guerrero, Alcalde Mayor and Military Captain of this said town and its inhabitants, published and made known by the sound of the drum, in the customary places, this order of Don Thomas Vélez Cachupin, Governor and Captain-General of this Kingdom, and the two proclamations of his Excellency of the 10th and 14th of September of the past year of 1765. And so that it may appear to all I certified it with the document which I signed with two witnesses in my presence, in lieu of clerks, of whom there are none of any class in this Kingdom.

FRANCISCO GUERRERO [rubric]

Witness MANUEL SIGIL [?] [rubric]

Witness JOSEPH ANTONIO ORTIZ [rubric]

*Memorandum*

On the 10th day of the month of March of this current year of 1766, I, Don Thomas Vélez Cachupin, Governor of this kingdom of New Mexico, in consequence of the superior orders of his Excellency, the Señor Viceroy, Governor and Captain-General of the Kingdom of this New Spain, the Marqués de Cruillas; and by me issued in the above order; sent the copy spoken of in it, with copies of the proclamations mentioned, to the Alcaldes Mayores of Albuquerque and Fonclara, Santo Domingo, and Cia; Acoma and Laguna; Santa Cruz de la Cañada; Taos and Pecos; for publication in their respective districts. I had previously done this for the Alcalde Mayor and Captain of the Presidio of El Paso, for the same purposes.

And so that it may be evident, I set down the proceeding at the end of this original order, and of that of its publication by the Alcalde

Mayor of this capital town of Santa Fé, which I signed with two witnesses in my presence, for lack of clerks of any class in this district.

THOMAS VÉLEZ CACHÚPIN [rubric]

Witness CARLOS FERNANDEZ [rubric]

Witness JOSEPH MALDONADO [rubric]

*Mendinueta to Croix, May 19, 1767<sup>13</sup>*

EXCELLENT SIR: Shortly after having taken command of this government of New Mexico, and given account to your Excellency, I received your letter dated December 1st of last year, '66. I am ordered by this letter to inform you immediately upon its receipt with the greatest clarity and precision relative to points therein contained, particularly with reference to the matter of tobacco. This order, noted by me, caused me to confer at once with my predecessor Don Thomas Vélez Cachupin, to whom the letter was addressed, and into whose hands it would have fallen had I not been entrusted with the government here. He, acquainted with its contents, showed me a copy of the report, bearing date of January 3rd of last year, '66, which he had submitted to the superior government of your Excellency, during the term of your predecessor, the Excellent Señor Marqués de Cruillas.

This report was duplicated by him under date of the 31st of March of the same year, because of orders received relative to prohibiting the planting of tobaccos and the establishment of a monopoly thereof for the benefit of the Royal Treasury of this government, and applicable to all the other provinces of New Spain, so that all, cognizant of the exceptions made in the case of New Mexico, and recognizing the obstacles offered in the regular handling thereof, could prudently take measures or make arrangements adapted to their own needs. In this manner there would be noticed no marked inconsistencies nor improbable factors not generally accepted. My predecessor assured me he has not received reply nor any information of its receipt. Both of us have examined the points contained in the afore-mentioned order of your Excellency and noted those contained in the report of my predecessor, checking all details as applied to the practical knowledge covering a period of more than ten years during which he has served in this government. We have determined to direct to your Excellency in triplicate the copy of the aforementioned report in compliance with and in satisfaction of the order of your Excellency.

It is well known that in all the districts and territory of this interior northern government, there is not a farmer who raises tobacco: But all the individual neighboring inhabitants who make up its popu-

13. Translation of MS. in Bancroft Library.

lation being farmers, each one plants the tobacco *punche* which he considers necessary for his consumption, as noted in paragraph 9 of the said report. Thus it becomes obligatory to regulate that part of the tobacco which is raised in the government, correlating it to the respective consumption of each grower. It is impossible to form any idea of profit or gain either within or outside of the districts of the government. Even within it the inhabitants are not in a position to trade with the surplus except through that demand afforded them by the barbarous friendly nations which represents a very slight commerce. This is effected in exchange for dry buffalo meat; and very rarely in exchange for the tobacco are they able to get hides already processed when there is any commerce with the Cumanche nation.

The expenditure made by these inhabitants to please these barbarous Indians and cultivate their friendship and maintain them faithful is greater than the advantages obtained in the exchange. Therefore, the barbarian's friendship is not proportionate to the demonstration provided in furnishing him tobacco when he requests it. He deduces from a [refusal] a lack of confidence, and withdrawing his affections, retires in bad temper and is not very loyal in his continued friendship. This lack of friendship lessens his comings, his commerce, and his society. As a result, he cannot be brought to God nor to the King. All the inhabitants of this government who are farmers, and as such interested in the peace and tranquility of all the barbarous nations which surround it, are loath to refuse presents of tobacco to them when they arrive at their homes, or come to fairs or designated places. The usage of this necessary courteous demonstration forces them to have a crop of the kind of tobacco which they call *punche*, to which they have become accustomed.

This aforesaid kind of tobacco is likewise planted by the Indians of all the converted pueblos. Each raises it for his own consumption and the tobacco is of poorer quality than that raised by the Spanish inhabitants and civilized people. They do nothing more than remove the leaves from the plant, and poorly dried they form bunches of it, leaving it with the color green. Only for their own use and that of the barbarians, because they are accustomed to it, is it possible. The quality of that raised by the inhabitants is not much better. Although they try to give it more care, they do so only long enough for it to acquire the color of the tobacco of Córdoba or Orizaba, but this does not apply either to its color or taste, nor can it remove its fiery strength. It degenerated in this climate because the seed was introduced from outside. The bunches are thin and their weight does not exceed eight to ten ounces. Not all of them arrange the tobacco in bunches, but rather leave it loose in the leaf, and in this form they use it.

The price here for this quality of tobacco is arranged between the inhabitants themselves and the natives at the time they barter and is indeterminable. Since the most usual exchange is not that of the tobacco of the country for another kind, it does not have a definite assigned price. If, perchance, the meager crop of tobacco of some inhabitant failed, or should he not have planted any because of the necessity of paying more attention to his crop of maize, wheat, and vegetables, and to the care of his stock of sheep and cows, and if he be addicted to the use of tobacco, he barter with some other who has secured a crop, and the exchange is made by supplying seeds, or wool from his sheep. Sometimes the exchange is effected with others by supplying the overabundance of some articles which are lacking to the other inhabitant. It is under such a situation that this government carries on, for in it there does not circulate in commerce either silver bullion or money, as is outlined in the report in the second and fifth paragraphs.

The value commonly attributable to the legitimate tobacco which enters through the annual commerce which these inhabitants have with the royal villa of Chiguagua, is plainly outlined in paragraph three of the report. Its exchange and sale is for deer skins, but as these are not always available, they find it impossible to buy the tobacco, and even if they were to get the deer skins from the barbarians, they reserve them to exchange for cloth and other kinds of clothes with which to dress themselves and their families, or they take them to the annual exchange in Chiguagua and sell them in that market thus to provide themselves with clothes. This accounts for the small consumption here of the legitimate tobacco, and for the necessity of seeing themselves obliged to use the *punche* of their crop to which they have become accustomed, although it is of such inferior quality.

It is only the soldiers in the presidio who are an exception and use the good and legitimate tobacco, because they obtain it on account and payable from their salaries, as is permitted to them in the provisions of the Ordinance of Presidios. The fixed price is nine and eleven reales per bunch of tobacco, from which must be distinguished the good clean leaf which brings eleven reales and the medium quality nine reales. This provision is made from that city at the same time as that for the rest of the goods for the uniforms of the soldiers. There is no set time assigned for the introduction of these goods as it is governed merely by the needs of supplying the soldiers in prudent proportion, to the end that no soldier shall lack what is necessary.

In addition to the aforesaid kind of tobacco *punche*, there is an herb which they call *mata*.<sup>14</sup> It grows wild and abundantly in the

14. On March 15, 1784, Felipe de Neve, commandant-general of the Interior Provinces, ordered Juan Bautista de Anza, then governor of New Mexico, to sup-

hills where are located the towns and missions of the Pecos and the Taos, and is consumed by the Indians when they lack *punche*. In order to use it they give it no other care except to gather it and leave it to dry. Those accustomed to it say that it does not resemble tobacco, but necessity and strong acceptance of the vice make it usable.

Therefore, by reason of the information given in the said report of the 3rd of January of '66 as well as that which we now explain, the superior intelligence of your Excellency will realize that this government does not find itself with ability, nor its poor inhabitants with disposition to give profit to the royal Treasury through monopoly of tobacco which might therein be established. It could only render some advantage to the factory consumption or monopoly, as outlined in paragraph eight of the report in which it is proposed to establish such a factory in the villa of Chiguagua, government of Vizcaya. These inhabitants in their yearly journey to that villa to sell the goods of their country would necessarily consume, during the period of their remaining, considerable portions of the monopoly tobacco, and those who found it possible, would set aside sufficient for their return. Others more clever would arrange to do some free bartering in exchange for deer skins, although few are able to do this because of the reasons already advanced.

For these same reasons, it may not be possible to make effective the prohibition against the planting of their tobacco, *punche*, by the inhabitants and the pueblos of converted Indians for their respective consumption; and it becomes doubly impossible to regulate in the one or the other the disposition to make gifts with the tobacco of their crop to the barbarous nations or to exchange it with them. It places their friendship in jeopardy, occasions great displeasure in our pueblos, and brings about great discontent in this neighborhood. Since the publication of the orders prohibiting the planting, according to your Excellency's superior mandate at the beginning of the past year, '66, the greatest dissatisfaction is evident.

This proclamation, despite compliance to it particularly on the part of the inhabitants, has resulted in there not being at the present time any tobacco for their use. They have had to avail themselves of the weed *mata* from the Taos and Pecos, and the *punche* from the Indians of the pueblo. The latter because they were not the most obedient to the proclamation or because of their economy, put aside the aforementioned crops, having had sufficient for their own needs, and find themselves in a position to provide, although meagerly, for

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press the use of "the herb known as '*Oja de Mata*' which was being used as a substitute for tobacco and in this manner reducing the revenues." On April 27 of the same year de Neve countermanded "the order for the destruction of the native tobacco." Ralph Emerson Twitchell, *The Spanish Archives of New Mexico* (2 vols., Cedar Rapids, 1914), II, 294. 295.

the satisfaction of the vice of these inhabitants, who at this present moment do not hesitate to smoke [*chupar*] any herb which they believe acts as a substitute for tobacco. The women, equally addicted, also use the herb *poleo*, and do not hesitate to express their displeasure at the total lack of the tobacco, both *punche* and that meager amount not exceeding five hundred bunches, which yearly used to come in from the exchange at Chiguagua.

This present year, because of the shortage in Chiguagua, tobacco was not brought in by the inhabitants when they returned to their homes. One inhabitant alone of the Presidio and pueblos del Paso, having after a short absence brought back fifty bunches, has exchanged each one of them for ten sheep, which represent a value of twenty pesos. Your Excellency will discern the general discontent which is to be feared because no provisions of a palliative nature are forthcoming to minimize the dangers incident to the prohibiting of tobacco planting. This discontent necessitates a silent polite dissimulation in order to prevent further exasperation and requires that the inhabitants be supplied in the accustomed manner. In this respect no provision has been made up to now nor has any decision been given, as my predecessor, under the dates of the 26th of November, '65, 3rd of January, and 31st of March, '66, informed the superior government of your Excellency, during the time of his Excellency, your predecessor.

Even though in this interior government there be conceded permission to plant, or planting be tolerated, on the part of each individual inhabitant, the poor quality of the tobacco, the meager amount and the limited commerce on account of the distance from the provinces of Vizcaya and Sonora, exclude the suspicion that supplies could be obtained or introduced profitably; and even were malice to prompt such procedure in the future, it would be very easy to avoid it, because of the situation of this government.

In consideration of the incomparable prudent judgment with which the wise mature reflection of your Excellency prepares the detailed points of your regulation, and in order that you may be informed with clarity, truth and integrity about these particular matters, thus assuring the decided effect of that which may be agreed upon, we take the liberty of presenting to your Excellency the facts already referred to. We are informing your superior intelligence, so that you may decide whatever is most conducive to the service of the King, and to the prosperity and alleviation of this government. It must be considered as the most exposed to ruin because of the barbarous nations which surround it; the poorest and most lacking in immediate aid when compared to all others despite its being the bulwark of Vizcaya and Sonora. It has only 130 cavalry to defend it in all its extent. This cavalry is divided into two companies. Their

meager number is supplied by the inhabitants, militia of the country, who without any expense to the royal treasury, make campaigns into the enemy territory, when so ordered, with such equipment, horses and rations as are available, being constantly endangered by the barbarians, subjected to the loss of their lives and property. In justice such worth and merit should receive consideration.

May God preserve you many years. Santa Fé, 19th of May, 1767.

Sir, your Excellency's servant,

[PEDRO FERMÍN DE MENDINUETA]

To his Excellency, Señor Marqués de Croix.