Allegations of Extortion: New Mexico Residencias of the mid-1600s

Rick Hendricks
Gerald Mandell

Follow this and additional works at: https://digitalrepository.unm.edu/nmhr

Recommended Citation

This Article is brought to you for free and open access by UNM Digital Repository. It has been accepted for inclusion in New Mexico Historical Review by an authorized editor of UNM Digital Repository. For more information, please contact amywinter@unm.edu, Isloane@salud.unm.edu, sarahrk@unm.edu.
On 11 May 1646, in the mining town of Parral in Nueva Vizcaya, Capt. Juan de Heredia—armed with a power of attorney granted to him by New Mexico governor Gen. Alonso Pacheco (1642-1644)—initiated a civil lawsuit. Heredia’s formal complaint was directed against Pacheco’s successor, Gov. Fernando de Argüello Carvajal (1644-1647):

Gen. Fernando de Argüello, utilizing the residencia process for his own purposes, has committed serious extortions against Gen. Alonso Pacheco and has seized the latter’s property. . . . It has come to my attention that there are presently five freight wagons from New Mexico in the town of Parral, recently dispatched by General Argüello, which contain all of the personal property and merchandise belonging to General Pacheco, including seventeen Apache slaves of various ages and both sexes.

Captain Heredia’s assertion was hardly unique. The residencia process, whereby the incoming New Mexico governor conducted an official review of his predecessor’s administration, was subject to repeated irregularities during the 1600s. Between 1637 and 1671, governors in Santa Fe routinely

---

Rick Hendricks is in the Archives and Special Collections Department at New Mexico State University Library, Las Cruces. Gerald Mandell is an independent scholar and research consultant.
manipulated provisions of the residencia system to wrest native trade goods and other marketable property—including the occasional cache of silver bullion—from their predecessors. In this respect governmental traditions within the province of New Mexico were consistent with those of New Spain and, indeed, much of the Spanish Empire. Economic expediency, not infrequently abetted by greed, was the driving force behind this phenomenon.

The integrity of the residencia system was debated for decades. By the 1530s or a little later, the practice of naming the successor of the official under examination as residencia judge had become generalized in the Indies, as had criticism of the practice. Writing from Michoacán in September 1554, Licenciado (licentiate) Lorenzo Lebrón de Quiñones commented that the residencias of corregidores (chief officers of a district, often the equivalent of governors) and alcaldes mayores (chief executive officers in a town or district) in that region did not produce the effect of satisfying the grievances of the citizenry because the incoming officials conducted the residencias of the outgoing officials. This practice was roundly criticized by legal theorists on other grounds. Some argued that in order to gain the favor of powerful locals, the successors gave free rein to their vengeance on the former officeholders.

A royal cedula issued 3 September 1565 was intended to be the general rule regarding the selection of residencia judges. It provided that, for offices filled upon the deliberation by the Council of the Indies, judges designated by the president of the council would conduct the residencia. For offices filled by viceroys, commissioned judges were to conduct the residencia. This directive notwithstanding, the debate continued over what entity had the authority to name judges for offices filled by appointments made in the Indies.

At the beginning of the seventeenth century, a change in orientation occurred. Apparently criticism by different members of the administration of the Indies had an effect. A royal cedula of 30 January 1618 indicated that residencias were flawed when conducted by successors in office, who had an interest in hiding the abuses that they might commit in the future. Another decree, dated 30 April 1618 and dispatched to the Viceroy of Peru, expanded on these concepts and ordered that residencias of governors and corregidores were to be carried out by special judges. To avoid the high costs of sending such a judge from the capital, it was recommended that a person free from suspicion and living in the region where the residencia was being held be named to conduct the trial. Should no such person be found there, one would be selected from a nearby community. A year later,
when the viceroy was ordered to send a list of possible residencia judges, the prohibition against naming successors was reiterated.6

The same prohibition was sent to New Spain, but to very little effect, judging from a letter from several of the judges of the Audiencia of Mexico dated 10 January 1620. According to the judges, while providing for the residencia of an alcalde mayor, one judge opined that it should not be conducted by the successor. The viceroy, the Marqués de Guadalcazar, without permitting the other judges to comment, stated that this fellow was a very poor judge, thus cowing the others. The residencia was assigned to the successor; this was done with all the other residencias, which, in the view of the letter writers, was the same as not having the residencia at all.

Three years later, in 1623, a royal cedula indirectly justified Guadalcazar by attributing to the viceroy the authority to name the successors or other “satisfactory people” as residencia judges of alcaldes mayores and jueces repartidores (assessors).7 This practice prevailed in Santa Fe, where incoming governors normally served as residencia judges.8 In a far-off, sparsely populated province such as New Mexico (one hundred forty days by freight convoy from Mexico City), the tradition promoted considerable administrative mischief.

Outgoing New Mexico governors—eager to leave the province with the departing mission caravan—were required to remain in Santa Fe until the thirty-day residencia was completed. Citizens who had grievances against the former governor, or who had not been paid for services rendered, could apply for monetary compensation. Exaggerated claims against the outgoing governor provided incoming officials with a convenient excuse to impound the previous governor’s assets. It was Argüello’s contention, for example, that legitimate claims worth thirty thousand pesos were filed during Pacheco’s residencia—a figure that must be considered implausible at best. At its noblest, the residencia provided a framework of justice for ordinary citizens, but at its coarsest, in the hands of unscrupulous incoming governors, it was little more than a racketeering device. Financial burdens—the purchase of office, taxes, and promissory notes signed in Mexico City and Parral in order to obtain supplies—incurred by newly appointed New Mexico governors were essential ingredients in administrative irregularities. Although Crown officials in Mexico City understood that incoming New Mexico governors would likely use whatever means were at their disposal to recover their expenses, outright theft and extortion were not altogether acceptable solutions, especially when substantial assets were involved.9 When outgoing
New Mexico governors were the victims of egregious residencia fraud, appeals could be, and sometimes were, submitted to the viceroy and Audiencia of Mexico.

The foundation for Pacheco's difficulties with Argüello had been established several years before, with the untimely death in 1641 of New Mexico governor Juan Flores de Sierra y Valdés. Flores, who was a resident of San Bartolomé prior to 1641, had arrived in Santa Fe in April as the replacement for Capt. Luis de Rosas, whose career in Santa Fe and violent death were thoroughly investigated by historian France V. Scholes. Governor Flores’s surname was Asturian, and he may have been descended from the houses of Miramontes or Caravallo, both based in Cangas de Tineo, Asturias. Flores was one of several New Mexico governors with Asturian ancestry. Others included Juan Manso (1656–1659) from Luarca and Juan de Miranda (1664–1665 and 1671–1675), who is described in documents as a councilman in perpetuity of Tineo, Asturias. A few of Flores's descendants or other close relatives had settled in Mexico City by midcentury.10

Governor Rosas’s term in office, which lasted from April 1637 until April 1641, was characterized by social conflict and political turmoil. Only months after arriving in Santa Fe, he aroused the ire of the missionaries. The Franciscans—the most powerful interest group in the province—had assumed that Rosas would utilize the residencia process to punish his predecessor, Francisco Martínez de Baeza (1635–1637), against whom the friars had a number of grievances. Instead, Rosas saw to it that Baeza’s residencia went smoothly. It was later alleged that Rosas had accepted a bribe from Baeza, which Scholes thought was entirely likely, “as bribery was not an uncommon means of escaping a strict residencia.”11 Although specific evidence is lacking, language contained in Heredia’s complaint against Argüello, which referred to “serious extortions,” suggests that the latter attempted to elicit a bribe from Pacheco in exchange for an expedited residencia.12

Offices great and small were routinely purchased in New Spain, and it is possible that Rosas had purchased his governorship sometime prior to 1637. Officially, governorships were never on the list of saleable offices and were never sold at auction in the Indies, as were many other offices. Although it was against the law to sell governorships, the practice persisted. During the reign of Felipe IV (1621–1665) and to a greater extent that of Carlos II (1665–1700), a system developed whereby titles and grants were conferred after a cash payment. The purchase of each title to a governorship was a separate contractual arrangement between the Crown and the purchaser. The pay-
ment was considered a merit earned with the Crown, and in this way the appointment was legally justified. Still, the purchaser did not obtain ownership of the post, which continued to be subject to the rules governing length of terms in office as established by law. Thus, some individuals, such as audiencia judges and treasury officials, obtained a post practically for life; but governors, corregidores, and alcaldes mayores held office for relatively short terms.

Argüello reported that the governorship of New Mexico had cost him nine thousand pesos, and there is evidence to suggest that Gov. Diego Dionisio de Peñalosa Briseño y Verdugo (1661–1664) offered a six-thousand-peso “gift” to the wife of Viceroy Juan de Leyva y de la Cerda to obtain his position. Peñalosa’s contribution for the governorship was roughly equal to the amount required to purchase the office of public scribe for the town of Parral during the early 1640s.

Another factor that added to the financial burdens of incoming New Mexico governors was the media anata. Enacted in 1631 as a revenue-raising measure, the media anata imposed a 50 percent tax on the first year’s salary of newly appointed government officials, as well as a third of all other financial perquisites relating to the position. The purchase of offices and the media anata presented serious monetary obstacles for individuals such as Rosas, Argüello, and Peñalosa and contributed to abuse of the residencia system in New Mexico. Paying upwards of five thousand pesos for a government post that provided an annual salary of only two thousand pesos over three years made little sense, unless the officeholders could recover their investments through outside activities. If Rosas had purchased his governorship, it might explain what the colonists perceived as his unusual preoccupation with commerce and manufacturing, a field in which he was exceeded only by Gov. Bernardo López de Mendizábal (1659–1661).

Whatever his circumstances, Rosas introduced himself to the residents of New Mexico as a tough, independent-minded administrator, who intended to govern the province according to his own prerogatives and personal objectives. Chief among Rosas’s personal goals was the pursuit of financial gain, and he directed much of his energy toward that end. One of the few avenues of financial advancement available to New Mexico governors was the accumulation of skins and native commodities that could later be liquidated in Parral or Mexico City. Shortly after assuming office, Rosas stockpiled merchandise for delivery to his agents in Nueva Vizcaya. He required Indians in several pueblos to weave shawls and other articles for him and
also established a good-sized weaving shop in Santa Fe, where Indian workers manufactured inexpensive sackcloth and other products. By October 1638, Rosas had already managed to organize a large shipment of buffalo hides, buckskins, sackcloth, candles, and woven articles for delivery to Parral. Like most seventeenth-century New Mexico governors, Rosas generated additional revenues marketing retail merchandise imported from New Spain.

It was this tendency of the New Mexico governors, born of financial necessity, to accumulate large quantities of commodities and trade goods that greatly contributed to the perversion of the residencia system. Storehouses of native goods left behind by a predecessor were tempting targets for new governors to seize as their own. Several governors—Juan de Eulate (1618–1625), Rosas, Argüello, Juan de Samaniego y Jaca (1653–1656), Manso, López de Mendizábal and others—had the foresight to ship merchandise south before their successors' arrival.17

Founded in 1631, approximately 250 leagues (750 miles) south of Santa Fe, Parral was the most vigorous mining and commercial center in northern New Spain. The great distance between Santa Fe and Parral was also a factor in the abuse of the residencia system in New Mexico. Venal governors viewed the geographical gap as a kind of buffer zone, or cushion, for their illicit activities. Rosas and other governors knew that once their native trade goods had been transferred to Parral, they were probably safe from their successors' prying eyes. By contrast, outgoing governors held captive by protracted residencia proceedings in Santa Fe could do little to stop successors from raiding their assets and shipping them south for sale. This is apparently what happened to Pacheco in the summer or fall of 1645. Governor Argüello seized his accumulated property with the intention of shipping it to Parral for prompt liquidation.

Rosas's aggressive commercial activities and pugnacious demeanor attracted the attention of the missionaries, who accumulated a long list of complaints against the governor. Over time political factions arose in New Mexico, and the potential for violence increased. Rosas's term as governor came to an end on 13 April 1641, with the arrival of his replacement as governor, Sargento Mayor Juan Flores de Sierra y Valdés. One of Flores's most pressing assignments after assuming office was conducting Rosas's residencia. On 5 July 1641, Capt. Francisco de Salazar, a leader of the anti-Rosas faction, presented a petition against the ex-governor that contained more than sixty claims. Before Rosas's residencia could be completed, Governor Flores died. This occurred in the summer or early fall of 1641, only four to six
months into the governor's three-year term. Messengers were immediately dispatched to Mexico City. At the time of Flores's death, the viceroy of New Spain was Diego López Pacheco Cabrera y Bobadilla, Duque de Escalona y Marqués de Villena (1640–1642). News of Flores's demise probably reached the viceroy by late fall of 1641. Since the gravity of the situation was obvious, the Marqués de Villena wasted little time in naming a replacement. His selection for this urgent undertaking was Capt. Alonso Pacheco de Heredia.

Although Pacheco's genealogy remains uncertain, there is evidence that strongly suggests he may have been a native of Nueva Vizcaya, very likely the grandson of Capt. Alonso Pacheco, who selected the location for the city of Durango in April 1563.¹⁸ One indication of Alonso Pacheco de Heredia's relationship to the earlier Alonso Pacheco comes from a 1595 legal proceeding in Durango. In that year, Alonso Pacheco buried his wife, Ana de Leyva, in the parish church. Leyva's son-in-law, Juan de Heredia, was offended by the distance between the burial site and the high altar. It seems possible, therefore, that Gov. Alonso Pacheco de Heredia (1642–1644) was the son of Juan de Heredia and his wife, and that he reversed his surnames in honor of his more illustrious grandfather—one of the founders of the city of Durango.¹⁹ Subsequent records demonstrate how closely the Heredias and Pachecos were interwoven.

Prior to his appointment as governor of New Mexico in 1641–1642, Pacheco signed a financing agreement at San Juan del Río in the early 1630s, and by 1638 he had become an alcalde ordinario in the city of Durango.²⁰ From time to time, he made appearances in Parral. In October 1637, Alonso witnessed the marriage of Eufracia Pacheco and Ayudante (later Captain) Juan de Heredia.²¹ Father Juan de Heredia, a Jesuit and brother of the bride, conducted the service. The groom, Juan de Heredia, whom Alonso characterized as his "brother" in a power of attorney executed in Durango in 1638, acted as Pacheco's legal representative in May 1646.²²

Pacheco had associations with various Parral merchants, including Capt. Domingo González, a Portuguese native of Tangier, North Africa. According to González's 1642 will, Pacheco had borrowed 104 pesos and deposited "a gold ring with white stones of little value" as security for the loan. The account was still unsettled at the time of González's death.²³

Another resident of Nueva Vizcaya whom Pacheco characterized as his brother was Capt. Pedro de Zubia Pacheco, a farmer and encomendero at San Bartolomé. Pedro, born 1617 in Durango, declared that he was the son of Capt. Juan de Zubia Pacheco and Leonor Martínez. In September 1635,
when he was around eighteen years of age, Pedro Pacheco asked Gov. Luis de Monsalve y Saavedra to grant him the encomienda of the pueblo of Otenapa, which had previously been in the possession of his brother, Juan de Heredia, the Jesuit priest. 24

Capt. Pedro de Zubia Pacheco became provincial judge of the rural constabulary and cattle-growers' association in the Santa Bárbara province. 25 Despite his elevated political status, he was jailed on several occasions for violent outbursts. In October 1651, he was charged with shoving a priest at San Bartolomé, and in 1660 he threatened to kill a man. Years later, in June 1674, Pedro de Zubia was incarcerated for assaulting a group of his encomienda Indians with a club. 26 After confessing to the crime, he was fined 150 pesos, assessed court costs, and ordered to pay his encomienda Indians at least two reales per day, over and above the customary food allotments. Another of Pedro de Zubia's brothers was Lucas de Zubia Pacheco, who had business dealings with Alonso in 1642 and supervised the military escort for the 1643–1644 mission supply caravan to New Mexico. Pedro's first cousin was Juan de Zubia Pacheco, a native of New Mexico and the son of Capt. Diego de Zubia, Gov. Juan de Oñate's purveyor general. 27

In the final analysis, the viceroy's appointment of Capt. Alonso Pacheco as governor of New Mexico in the winter of 1641–1642 was most appropriate: Pacheco appears to have been a native norteño (northerner), was familiar with the northern climate and geography, had considerable experience in military and governmental affairs, had served as alcalde ordinario in the city of Durango, was probably in the prime of his life, had numerous family ties in Durango and Parral, and apparently had friends and relatives with connections to the provinces of New Mexico.

Governor Pacheco's entourage left Mexico City around February or March 1642 bound for Santa Fe. At the time of his departure, Pacheco had no way of knowing that the former governor, Luis de Rosas, had been murdered in Santa Fe by Nicolás Ortiz on the night of 25 January. The convoy had reached Parral by early May. In Parral, Pacheco discovered that one of his future alcaldes mayores, Juan Ramírez de Salazar, a former member of the anti-Rosas faction, had been jailed by local officials. 28 After Ortiz's acquittal of murder charges in Santa Fe, the Parral authorities had apparently set up a dragnet in Nueva Vizcaya in order to apprehend the perpetrator. It seems that Ramírez and his Indian servant, Cristóbal Durán y Chaves, were suspected of attempting to warn Ortiz of his impending arrest, and consequently were arrested. Whatever the case, in May 1642 Governor Pacheco
insisted that Ramírez be released, stating that the latter was a paid soldier operating under Pacheco’s royal standard. Having little choice in the matter, the alcalde mayor of Parral, Gen. Melchor de Valdés, complied with Pacheco’s demand. As a provincial governor, Pacheco was subject only to the authority of the viceroy and audiencia.

Because of Ortiz’s trial and related matters, it seems that Pacheco remained in Parral for four months, from early May until mid-September 1642. Perhaps as a measure to raise funds for his stay, Pacheco and his brother, Capt. Lucas de Zubia, sold a twenty-year-old Black slave for four hundred pesos to a local churchman. The following month, Pacheco’s other brother, Capt. Pedro de Zubia, sold some houses he owned in nearby San Diego for five hundred pesos. Since the death sentence against Ortiz was handed down on 12 September, it appears that Pacheco finally left Parral around mid-September. The journey from Parral to central New Mexico normally took sixty days by coach or wagon; but Pacheco, traveling without the burden of the mission supply caravan, which was not scheduled to return until 1644, arrived in Santa Fe during the first week of November 1642. During Pacheco’s stay in Parral—on 9 June 1642—Juan de Palafox y Mendoza, the Bishop of Puebla, replaced the Marqués de Villena as viceroy of New Spain.

Once Pacheco had taken up residence in Santa Fe, he set about investigating all of the events that had occurred in New Mexico subsequent to Rosas’s arrival in 1637, with particular attention paid to the specifics of Rosas’s death in January 1642. Pacheco was authorized by formal decree to grant pardons if he saw fit. He also possessed secret instructions from the audiencia empowering him to rid the province of seditious elements if necessary, “by a brief and exemplary punishment.” The clerical, anti-Rosas faction expressed concern that the governor was relying primarily upon the testimony of pro-Rosas witnesses to make his decision. Nevertheless, by mid-July Pacheco had identified the guilty parties and ordered the beheading of eight captains in the town square on 21 July 1643: Antonio Baca, Francisco de Salazar, Cristóbal Enríquez, Juan de Archuleta, Diego Márquez, Diego Martín Barba, Nicolás Pérez, and Juan Ruiz de Hinojos. As a means of promoting quietude in the province, Pacheco appointed several other anti-Rosas leaders alcaldes mayores in various districts, including Juan Ramírez de Salazar.

After the executions, Pacheco sent long reports to Mexico City, wherein he provided a history of the civil conflict in New Mexico. Despite Pacheco’s perception that peace and harmony were at hand, it was not long before
familiar complaints arose against the governor. A month before the execu­
tions, Custodian Hernando Covarrubias, had written the viceroy a long let­
ter that suggested that, however traumatic the events of the previous months
had been, Pacheco had overstepped his authority. Covarrubias accused
Governor Pacheco of exaggerating the political turmoil in New Mexico,
appointing alcaldes mayores to serve in areas occupied only by Indians,
commandeering horses and mules belonging to citizens and friars without
offering just compensation, acquiring the property of deceased New Mexi­
cans at reduced prices, proposing to apply the encomienda system on a per­
capita basis (as opposed to the traditional per-household formula), behaving
inappropriately at public gatherings, and revoking and re-granting several
important encomiendas in order to obtain the revenues for himself. Thus,
Pacheco, like so many other New Mexico governors of his era, was accused
of malfeasance in office.

Allegations of this sort, whether they were valid or not, provided residencia
judges with a convenient excuse for seizing the outgoing governors’ assets.
This appears to have been the case with Pacheco. Some of the command­
deered horses mentioned in Covarrubias’s letter ultimately came into the
possession of Argüello, who had them driven to Parral for sale. Pacheco had
taken the horses from the citizens for questionable purposes, and Argüello
stole them from Pacheco.

By September 1643 relations between Pacheco and the missionaries had
deteriorated even further; the governor considered Custodian Covarrubias
“the most arrogant friar in the world” and told him so. To make matters
worse, relatives of some of the captains beheaded in July filed suit against
Pacheco, seeking restitution for the surviving families of those who were
executed. In addition to his governmental activities, Pacheco evidently spent
a portion of his time acquiring a hoard of native goods, which he intended
to liquidate in Parral in 1645. By the summer of 1644, Pacheco was also
awaiting the arrival of his replacement.

Another viceroy—the third in Pacheco’s two-year term—had taken of­
lice on 23 November 1642. The new official, García Sarmiento de Sotomayor,
Conde de Salvatierra, selected Capt. Fernando de Argüello Carvajal as
Pacheco’s successor. Argüello’s appointment may have come in the late sum­
er or fall of 1643, about the time the New Mexico misión supply caravan
was preparing to make its 1644 journey north. Sometime prior to 1643,
Argüello had served as presidio captain of Sinaloa. Individuals who held
this office occasionally used the title “governor.” He may have followed a
relative, Capt. Leonardo de Argüello, who was alcalde mayor of Sinaloa as early as 1631 and an alcalde ordinario of Durango in 1640.37

Documents that bear his name or handsome signature always refer to “don” Fernando de Argüello Carvajal, presumably in deference to his distinguished ancestry and superior social connections. Fernando, whose proper surname was Argüello Carvajal y Argüello Carvajal, was the brother of Inigo and José de Argüello Carvajal y Argüello Carvajal. The brothers were born in Badajoz, Spain, to Lorenzo de Argüello Carvajal and Catalina de Argüello Carvajal. As the first born, Inigo inherited the family’s entailed estate. He and his brother, Fernando, received minor orders and appeared headed for ecclesiastical lives, but for some unknown reason they abandoned their careers in the Church. Inigo became a distinguished author in Spain. In written works he referred to his brother, Fernando, as the “Governor of Sinaloa.” Their sibling, José de Argüello Carvajal, became a knight of the Order of San Juan.38 Licenciado Inigo de Argüello Carvajal, Knight of Calatrava and a judge at the Audiencia of Mexico, was apparently another relative.39

In February 1643 Fernando became involved in an ugly confrontation—complete with shouting, arm-waving, and the destruction of documents—with officials of the Holy Office of the Inquisition.40 He had leased a farm from the Holy Office, which had once been owned by the Portuguese merchant Simón Váez Sevilla. Following accusations of religious improprieties, the Holy Office confiscated property worth 116,399 pesos from Váez Sevilla, including the farm it later leased to Argüello, who referred to the property as a “ranchuelo,” a derogatory reference to its humble character. Since Argüello neglected, or refused, to post a bond for the rental agreement, officials of the Holy Office attempted to arrest him, at which time Argüello became irate. A heated argument erupted. Argüello tore the arrest warrant into little pieces and declared, while shaking his head vigorously, that the Holy Office had no authority over him. The case was turned over to the Tribunal of the Holy Office, but the outcome is unknown. Whatever the actions taken against Argüello, they did not prevent him from assuming the governorship in 1644. This incident reveals something about Argüello’s personality—a kind of stubborn arrogance that did not bode well for the citizens of New Mexico in general, or for Alonso Pacheco in particular. Argüello obviously had friends and relatives in high places, possibly in the Holy Office itself. A man who had successfully thumbed his nose at the Inquisition would likely have few reservations when it came to intimidating the outgoing governor in Santa Fe.
The New Mexico mission supply caravan, under the administration of fray Tomás Manso, departed Mexico City in early 1644 without Argüello, who was apparently not yet prepared for his transfer to Santa Fe. Argüello's whereabouts in the spring of 1644 are unknown. An escort of fourteen soldiers accompanied the supply wagons, including Diego de Guadalajara (whom Argüello subsequently imprisoned in New Mexico), Francisco Domínguez, Pedro de Montoya, Alonso García, Juan de Mondragón, and nine others. The commander of the soldier escort was Governor Pacheco's brother, Lucas de Zubia. According to Scholes, the caravan arrived in New Mexico around July 1644, at which time Argüello was still preparing to leave Mexico City. This was bad news for Pacheco, who was eager to depart Santa Fe in the autumn of 1644.

Since the mission supply wagons were the property of the Crown, several New Mexico governors concluded that they were entitled to use the empty wagons (which returned south in the fall after making their deliveries) to transport Apache slaves, buffalo hides, skins, piñones, woven articles, and other native merchandise to Parral or Mexico City. The sticking point in this scenario was the residencia process, which had to be completed prior to the outgoing governor's departure. By the fall of 1644, when the supply caravan was preparing to head south, Argüello had not yet arrived in Santa Fe, and, thus, Pacheco's residencia would be delayed for months. He was essentially a prisoner in New Mexico. Despite his apparent resourcefulness and inclination to act upon pressing issues, he had not had the opportunity or wherewithal to ship his stockpile of trade goods south in the summer or fall of 1644. Consequently, they would be subject to seizure during the residencia proceeding if Governor Argüello made a concerted effort to do so.

Governor Argüello, journeying north to Santa Fe as the mission caravan was heading south, stopped in Parral in late October 1644. On 24 October he acted as godfather at a local baptism. The parents of the infant were Juan Núñez de Bonifacio and Felipa de Esloimanse, about whom little is known. Several days later Argüello recorded an important loan agreement. In this transaction, he borrowed nine hundred pesos from Valerio Cortés del Rey, the town assayer, and deposited two of his slaves, a husband and wife, as security for the loan. Argüello's guarantor was Maestre de Campo Francisco Montaño de la Cueva, a Parral miner who had served as governor of Nueva Vizcaya in 1638. Terms of the promissory note specified that Cortés was to be repaid by the last day of August 1645. This nine-hundred-peso obligation, in combination with whatever sum Argüello had invested to se-
cure his post as governor, may have served as a powerful incentive for seizing Pacheco's trade goods and Apache slaves in 1645.

If Argüello's convoy departed Parral in late October or the first week of November, he may have arrived in Santa Fe near the end of December 1644. As was generally the case, Argüello's first important duty was to conduct the residencia of his predecessor, Alonso Pacheco. Dates for this event, which may have been in the spring of 1645, are not available. Evidence taken from the 1646 civil proceeding in Parral indicates that Pacheco was still in possession of his property on 28 May 1645, at which time he signed a power of attorney in Santa Fe. This legal instrument directed his agents in Nueva Vizcaya to receive any and all merchandise, including Indian slaves and livestock, which Pacheco might ship south. The agents named in the document were Capt. Francisco de Suasti, Baltasar de Ontiveros, Capt. Juan de Heredia (the husband of Eufracia Pacheco), and Pacheco's brothers, Pedro and Diego de Zubía Pacheco of San Bartolomé. If Governor Argüello impounded Pacheco's Apaches, livestock, and other merchandise, which he apparently did, this must have occurred in the early summer of 1645, before Pacheco had an opportunity to consolidate his assets and direct them south to his agents.

Although Pacheco remained in New Mexico until the end of Argüello's term in 1647, his legal representatives were busy in Parral, where Capt. Juan de Heredia filed a formal complaint against Argüello in May 1646. The civil proceeding that followed, which was characterized by the presiding judge, Gov. Luis de Valdés, as a causa (lawsuit), lasted from 11 May until 30 June 1646. It appears that paperwork pertaining to the case had also been sent to the viceroy's attorneys in Mexico City.

In his opening statement, Heredia explained that five wagon loads of merchandise and seventeen Apache slaves belonging to Pacheco had been dispatched to Parral by Argüello. It was revealed in subsequent testimony that several reposteros (draperies) bearing Pacheco's coat of arms were also among the items shipped to Parral. These articles, and a modest herd of mules and horses, had been illegally seized by Argüello during or after the residencia proceeding. Heredia and Pacheco's other legal representative in Parral, Capt. Pedro de Zubía, wanted the property embargoed by authorities and returned to Pacheco. Argüello's attorney in Parral was Maestre de Campo Bernardo de Arrasola y Corral. A week into the proceeding, Governor Valdés placed a hold on Pacheco's property and on monies derived from the sale of same.
Attorney Arrasola responded to Heredia's allegations by stating that claims worth thirty thousand pesos had been submitted against Pacheco during the residencia, and the seized property would be liquidated in order to satisfy those demands. During his residencia in 1661, Gov. López de Mendizábal had more than eighty claims filed against him, and the total value of the demandas (claims) submitted amounted to less than three thousand pesos. In and of itself, Argüello's assertion that Pacheco's property had been confiscated in order to satisfy thirty thousand pesos in claims against him was evidence of malfeasance. Either the governor had conspired with colonists to manufacture claims against Pacheco, or he simply lied about the number of objections in order to justify his behavior to the authorities in Parral. Pacheco's extravagant actions as governor, such as the seizure of mules and horses, the decapitations of 1643, and his hostility toward certain missionaries, would surely have stimulated numerous petitions during the residencia proceeding. Even so, the total value of legitimate demands against Pacheco could only have been a fraction of thirty thousand pesos.

Through his representatives, Pacheco made exaggerated statements of his own during the proceeding. It was alleged, for example, that Argüello had despoiled his predecessor of merchandise worth sixteen to seventeen thousand pesos: woven shawls and wall hangings, decorated elk skins, buffalo hides, piñones, and seventeen Apache slaves. Their claim was dubious. Apache slaves of various ages were worth, at most, about one hundred pesos apiece in Parral—not more than seventeen hundred pesos total. A more reasonable figure may have been 850 to 1,000 pesos. Raw piñones, valued at ten pesos per fanega wholesale in Mexico City, were worth only about two hundred pesos per ton. Likewise, shawls, skins, and buffalo hides were not articles of great value, unless marketed by the hundreds or thousands. Hence, Pacheco's estimate seems to have been inflated. The actual value of goods seized by Argüello and transferred to Parral may have been five thousand pesos or less, which was still a substantial sum, given the fact that New Mexico governors earned only two thousand pesos annually.

Another interesting feature of Pacheco's complaint against Argüello pertained to the seizure and sale of equine stock. It was alleged that Sgt. Francisco de Ortega—a mulatto native of Zacatecas and one of Argüello's political servants—had driven 166 mules and horses to Parral, some of which bore Pacheco's brand. Pacheco suspected that these animals had been sold in Parral for Argüello's account, but the governor's attorney insisted that, like all the other merchandise, they had been liquidated at public auction to
satisfy the demands of Pacheco's residencia. The mules and horses mentioned in the lawsuit may have been some of those requisitioned by Pacheco in 1642–1643, for which the colonists and friars had not been given just compensation. It was probably Pacheco's plan all along to acquire, by whatever means necessary, as much livestock and native merchandise as possible before the autumn of 1644, in order to ship them to Parral at the end of his term. His power of attorney in late May 1645 specified that livestock might be among the items sent to his agents in Nueva Vizcaya.

For his part, Arrasola emphasized the following legal points. First, Pacheco's lawsuit was frivolous. He had been accorded due process by Argüello in Santa Fe, and his property had been liquidated at public auction in order to satisfy the numerous claims made during his residencia. Second, Governor Valdés was not qualified to decide the issue, and only the viceroy had the authority to resolve such matters. In the end Valdés agreed with Arrasola's argument. Thus, on 25 June 1646, Valdés ruled that he was not a proper judge in the lawsuit. He referred the case to a competent official of Capt. Pedro de Zubia's choosing and ordered the latter to pay court costs. The governor's decision effectively disencumbered the merchandise in Arrasola's possession and allowed him to proceed with Argüello's instructions regarding its disposal. Francisco Montaño de la Cueva, financial guarantor for Argüello and Arrasola, was also freed from his legal obligations.

Pacheco's legal maneuver in Parral was doomed from the outset. Governors had enormous power within their own geographical districts, but their authority did not extend to other provinces. Asking a provincial governor, in this case Valdés, to settle an argument between two other provincial governors was an administrative and judicial impossibility. A higher authority was required—a directive from Mexico City—and documentation was essential. Valdés's ruling on 25 June reiterated the opinion he expressed in the Nicolás Ortiz proceeding of 1642: The province of New Mexico and controversies arising therein were "subject and subordinate" to the viceroy.

The outcome of the Pacheco-Argüello dispute is unknown. Pacheco may have pursued his appeal to the Conde de Salvatierra. In order to evaluate Pacheco's claim, it would have been imperative for the fiscal (the viceroy's investigative attorney) to compare Pacheco's residencia accounts to the testimony given in the Parral proceeding. The fiscal, Dr. Pedro Melian or one of his colleagues, would have had to determine whether Argüello confiscated and liquidated more of Pacheco's property than was absolutely necessary to satisfy the residencia claims. If the fiscal concluded that the value of
the goods contained in Pacheco's five freight wagons, along with the Apache slaves and 166 mules and horses, exceeded the value of legitimate claims, he would have written a legal opinion reflecting that determination. The viceroy's decision, had he arrived at one, would have been based largely upon the fiscal's recommendation. Since a detailed inventory of the merchandise shipped to Parral did not become part of the court record, the fiscal may have requested and obtained such an accounting from Bernardo de Arrasola. Whatever the case, the evidence was long gone. After the proceeding concluded on 30 June 1646, the remainder of Pacheco's trade goods and Apache slaves were apparently absorbed by the Parral economy.

Pacheco and Argüello remained in New Mexico until 1647, pending the arrival of Argüello's replacement, Luis de Guzmán y Figueroa (1647–1649). According to custom, Governor Guzmán stopped in Parral in February 1647, where he granted powers of attorney to Asturian merchant Fernando de Valdés Llanos and his nephew, Julián de Valdés. Guzmán likely had administrative difficulties in Santa Fe, for Scholes wrote, "Against Guzmán y Figueroa such serious charges were brought that he had left New Mexico before his term of office was ended." Governor Guzmán's successor was Gen. Hernando de Ugarte y la Concha (1649–1653), a native of Fuenterrabía in the Basque provinces and one of the few New Mexico governors of his era around whom controversy did not continuously swirl.

When Pacheco and Argüello finally left Santa Fe in the autumn of 1647, as Scholes explained, "one of them [was] in custody for having sold [gun]powder belonging to the Crown, [and] the other [was] free because of bribes he had given." Since Pacheco apparently spent the winter of 1647–1648 in Parral, Argüello must have been the official under investigation.

Presumably bound for Mexico City, Pacheco left Parral in early March 1648 with the wagons of Capt. Andrés López de Gracia, a New Mexico–based freighter and sheep rancher. Before departing, Pacheco granted a power of attorney to his brother, Capt. Pedro de Zubia Pacheco, and to Bachiller (university graduate) Juan del Candano, the holder of an ecclesiastical benefice in Parral. By 1649 Pacheco's former tormentor, Fernando de Argüello Carvajal, had returned to Mexico City, where he sold an Angolan slave to a young man named Bernardo López de Mendizábal.

The Pacheco-Argüello controversy of 1645–1646 and other such incidents raise questions about the efficacy of the residencia system in New Mexico. Scholes concluded:
In all parts of the Indies, the residencia provided an opportunity for disgruntled individuals, unsuccessful applicants for office, and restless, discontented spirits to attack the honor and character of officials whose terms of office had come to an end. Moreover, if an official attacked or infringed upon local vested interests, he was certain to be submitted to a torrent of abuses and complaints during his residencia.58

The most powerful “local vested interests” in New Mexico during the mid-1600s were the Franciscan missionaries and the provincial encomenderos. Although Scholes’s observations may have been somewhat overstated, serious irregularities during the residencia proceedings were fairly common in Santa Fe, particularly between 1637 and 1671.

In addition to the routine practice of purchasing offices, there were several other factors that may have played a role in the abuse of the residencia system in New Mexico. Prior to the founding of Parral in 1631, New Mexico governors who wished to liquidate géneros de la tierra (skins, piñones, and woven goods) had to seek markets for those articles in places like San Bartolomé, Zacatecas, and Mexico City. The rise of Parral as a commercial center during the 1630s made it much easier for New Mexico governors to engineer mercantile schemes and market commodities.

Beginning around 1635, virtually every incoming New Mexico governor stopped in Parral on his journey north to Santa Fe. During a governor’s days or weeks in Parral, he appointed business agents whose job it was to receive, liquidate, or transship any and all native merchandise the governor might send south during his term.59 It might be argued that the financial services available in Parral contributed to the governors’ desire and ability to accumulate native trade goods. As illustrated by the Pacheco-Argüello dispute, stockpiles of merchandise proved to be irresistible targets for unscrupulous residencia judges. Parral’s geographical location facilitated trade between New Mexico and Nueva Vizcaya, and also provided several governors with better access to markets for their misappropriated merchandise.

The vast distance between Santa Fe and Parral, more than seven hundred miles, was also a factor in residencia abuse during the mid-1600s. For governors such as Rosas, Argüello, Ugarte, Samaniego, Manso, and others who shipped Apache slaves and other components of their merchandise south before the arrival of their successors, the distance between Santa Fe and Parral served as insurance against illegal seizure. By 1655 Samaniego’s
buckskins were in the possession of his Parral business agent and were sure to be safely transshipped to Mexico City.60

Unscrupulous governors, on the other hand, viewed the great open space between Santa Fe and Parral as a kind of buffer zone for their illicit practices. The incoming governors, acting as residencia judges, knew full well that the officials under review were required to remain in Santa Fe until the residencia process had been completed. A long delay in the proceedings furthered the economic self-interest of certain judges. Several New Mexico governors, including Pacheco, were effectively held captive in this manner. This aspect of the residencia process, however reasonable, was the means by which incoming governors such as Argüello separated their predecessors from the hoards of property they had accumulated. Attempted extortion was common, in fact, and Argüello probably sought to secure a bribe from Pacheco prior to impounding his property and shipping it to Parral. Rosas may or may not have obtained a bribe from Baeza in 1637. López de Mendizábal successfully delayed Manso's departure in 1659. He attempted to extract a four thousand-peso bribe from the former governor, but had to settle for one hundred marks of silver (worth 750 to 800 pesos), fifteen Apache slaves, a quantity of iron, and some grain. In keeping with New Mexico tradition, López de Mendizábal was also the victim of attempted extortion by Peñalosa in the fall of 1661.61

Gov. Juan de Miranda (1664–1665 and 1671–1675) attempted to use geographical distance as a cushion for his illicit activities in the early 1670s. Miranda's predecessor, Juan Rodríguez de Medrano y Mesía (1668–1671), had arrived in Santa Fe in January 1669, bringing with him four wagon loads of retail merchandise from Mexico City. Between 1669 and 1671, despite a lingering drought and Apache raids, Medrano conducted extensive trade between Santa Fe and the mining towns of Sonora. By the end of his term, Medrano had accumulated a substantial stockpile of valuables, including 350 marks of untaxed Sonora silver, 6 cloaks, and 6 lengths of black Flemish lace, the total value of which was just over 3,100 pesos. Medrano's replacement, Miranda, assumed office on 21 July 1671 and immediately set about identifying and locating his predecessor's property. The most tempting prize was the aforementioned silver and fabric. In the autumn of 1671, following Medrano's residencia, Miranda's agents forcibly seized the hoard of goods that Medrano had stored in a bull-hide trunk. Francisco Javier, Miranda's secretary who claimed to be partially paralyzed and could scarcely
lift so much as a pound, was an active participant in this scheme. Medrano’s reaction was to call Miranda, among other things, “a prodigious thief.”

Miranda transferred Medrano’s silver to the casas reales (government headquarters). A year later, in the winter of 1672, the new governor shipped a portion of this contraband to fray Juan de Talabán at the convento in El Paso (said to be within the jurisdiction of Nueva Vizcaya) for safekeeping. Hidden within a trunk, wrapped with white elk skin and stamped with Miranda’s personal brand, were 101 marks of silver, 1 cloak, and 2 pieces of fine lace. Unfortunately for Miranda, Medrano, traveling south to Parral, was also aboard the convoy. At or near Doña Ana north of El Paso, Medrano discovered and seized his silver and lace. Upon reaching Parral in April 1673, Medrano produced detailed written statements condemning the conduct of Miranda, who was still in possession of 249 marks of silver, 5 cloaks, and 4 lengths of lace. Medrano formally demanded restitution from Miranda and declared that he would go before the viceroy and real acuerdo to request thirty thousand pesos in compensation for his loss and suffering. On 9 May the governor of Nueva Vizcaya, José García de Salcedo (1671–1674), declared that he was not an appropriate judge in this controversy. The outcome of the case is not known. Miranda was still in Santa Fe; time and distance were on his side. If confronted with allegations of theft, Miranda would have argued that he had seized Medrano’s property in order to satisfy claims made against the former governor during his residencia proceeding. It is clear, however, that Miranda intended to retrieve the silver and other merchandise he had sent to Talabán when he departed the province in 1675. In all likelihood, Miranda settled residencia demands with part of Medrano’s property and simply kept the rest for himself. Despite Miranda’s suspicious behavior—smuggling untaxed silver to an unwitting priest at El Paso—Medrano’s case may have been complicated by the fact that one of Miranda’s close associates in Mexico City was Licenciado Diego de Borja Barco, a relator with the audiencia.

Poverty was an endemic factor in administrative misconduct in New Mexico. Whether legitimate or fraudulent, each governor’s commercial activities provided economic opportunities for dozens of New Mexico residents, including Pueblo Indians. More than eighty claims (some possibly manufactured) were filed against López de Mendizábal during his residencia in 1661, many of which were demands for unpaid wages. In order to accomplish their financial goals, all governors were required to pay for services, including errands. Francisco de Ortega’s trip to Parral with the herd of horses
probably brought him at least one hundred pesos; the wranglers who accompanied Ortega were paid additional amounts. What mattered most to Ortega and his assistants was the opportunity to earn specie, and they left the legal justification for their journey to Argüello. On 17 May 1646, six days after the Pacheco-Argüello suit began in Parral, Ortega delivered three hundred pesos to Francisco Domínguez, who agreed to deliver a sealed letter regarding the Diego de Guadalajara case to the viceroy in Mexico City. In a cash-poor province such as New Mexico, paid journeys to Parral and Mexico City amounted to economic development, and New Mexicans with experience in political affairs had a vested interest in keeping the governors active in commerce—whatever kept the economic stimulus package intact. Poverty and fabricated residencia claims went hand in hand. After negotiations for a bribe with Juan Manso failed in 1659, Governor López de Mendizábal “summoned [witnesses] from all parts of the province, some under penalty of heavy fines, and special favor was manifested toward those who testified against the ex-governor.” The poorest colonists were particularly susceptible to this type of economic pressure.

Events such as these paint an unflattering portrait of seventeenth-century governors, particularly those who served between 1635 and 1675, such as Baeza, Rosas, Pacheco, Argüello, Guzmán, Manso (to a limited degree), López de Mendizábal, Peñalosa, and Miranda. In a letter to the king dated 23 October 1647, fray Andrés Juárez, senior friar in New Mexico, wrote some harsh words regarding the quality of provincial governors prior to that date. Two of the worst, according to Juárez, had been Pacheco and Argüello. They had been a curse upon the province, “cheating these poor natives and Spaniards.” If the governors were flawed, then so was the selection process. As noted, one of the important ingredients in this drama of imperfection was the purchase of offices. In the end, it was the citizens of the province—and Pacheco—who reimbursed Argüello for the nine thousand pesos he had invested in the governorship.

Most seventeenth-century governors, some of them Europeans, considered their tour of duty in Santa Fe a personal hardship. There was little status associated with the position. As one individual remarked, the governor of New Mexico was “captain general of fifty men, [comprised] of the dregs of the earth, mestizos, mulattoes, and foreigners.” Moreover, the far-away province of New Mexico was notoriously devoid of amenities. It was a poor, inhospitable region, with few commercial opportunities, and no
silver-mining bonanzas. A handful of New Mexico–based traders made regular trips to Parral, but their activities were limited by the small local market. Sheepraising was the major industry, the largest flocks being in the hands of the missionaries; and the weather in Santa Fe was much harsher than communities farther south, in Nueva Vizcaya and Nueva Galicia. Compared to the mining town of Parral, where two-thirds of the men of property were Europeans, Santa Fe was little more than a dusty colonial outpost.

Diego de Peñalosa, a native of Peru and governor of New Mexico between 1661 and 1664, developed a poetic loathing for Santa Fe after only a year in office. His unethical behavior in the fall of 1661 during the residencia of his predecessor, López de Mendizábal, was reflective of this unmitigated contempt. In a note dated 2 October 1662 to Capt. Pedro Francisco de Sartillón, a resident of Sonora, Peñalosa begged, “Someone come and get me out of this [miserable] Algeria of New Mexico!”

Pefalosa had grown disillusioned with Santa Fe and longed for an escape.

Two months earlier, the governor had written an extraordinary letter to Juana de Armendariz of Mexico City, thanking her for some subtle, but very effective, lobbying she had done on his behalf, possibly having to do with his predecessor’s residencia:

Your grace triumphs so gloriously! You impel, with your superior cleverness, my censured decree and revise, with marvelous style, the art of innuendo, excusing neither the privileges of government nor the oversights of the governor, lying entombed in the expansive lands of this other world.

Indeed, for many of the men who served as governors in Santa Fe, New Mexico was very much like another world and far different than any place they had ever lived. Still, the system of government in New Spain bestowed great power upon these individuals, some of whom exploited their prerogatives to the fullest. During the mid-1600s at least six New Mexico governors appealed residencia findings and administrative abuses to Mexico City: Pacheco, Manso, López de Mendizábal, Peñalosa, Miranda, and Medrano. The audiencia ruled in the Manso, López de Mendizábal, Peñalosa, and Miranda affairs, but the outcomes of the Pacheco-Argüello and Medrano-Miranda controversies are unknown. Punitive measures taken by the authorities in Mexico City did little to mitigate the governors’ actions. The harsh real provisión (writ or decree) handed down against López de Mendizábal on 12 May 1662 did not
deter Miranda. Indeed, Miranda conducted Peñalosa's residencia in an arbitrary manner in 1664 and appears to have stolen a portion of Medrano's silver in 1671. Likewise, the audiencia's decree in Manso's favor in February 1661 did not prevent Peñalosa from trying to obtain a bribe from López de Mendizábal in November of that year. Even though Rosas had every manner of legal and administrative difficulty in the period from 1637 to 1641, it did not keep Pacheco from misappropriating horses in 1643, and it did not prevent Argüello from stealing them again in 1645. Regardless of the political consequences, each of these men adhered to his own financial agenda. This was an almost inevitable by-product of a system that encouraged governors to pursue avenues of self-interest. Monetary considerations arising from low salaries, the purchase of offices, the media anata, and financial obligations incurred in Mexico City and Parral were paramount. Greed and temptation also played a role. Skins, woven articles, and other native trade goods accumulated by outgoing governors were repeatedly targeted by incoming officials wishing to defray the expenses of office.

Viceroyos and audiencia judges were well aware of mischief in the provinces, but were scarcely in a position to stop it. Tough, resourceful leaders such as Alonso Pacheco and Fernando de Argüello were needed in New Mexico, where a military conflict with the Apache Nation was an emerging threat. Indeed, the very traits Argüello possessed that made him suitable for the governorship virtually guaranteed that he would one day test the limits of his authority. The viceroyos of New Spain, who ruled over a vast realm, depended upon men like Argüello. Bestowing great power on the provincial governors and then taking it away by requiring them to justify each and every one of their actions would have been an absurd contradiction.

Victims of residencia fraud took it very seriously, yet complaints by Pacheco and Medrano may have fallen on deaf ears in Mexico City. Governor Pacheco had been granted exceptional discretionary powers in 1642, and he exercised them ruthlessly. If Pacheco had requisitioned equine stock, but had not compensated the colonists adequately, and if his successor, Fernando de Argüello, had seized 166 of these animals and driven them to Parral for sale, the audiencia hardly considered these offenses topics for urgent deliberation. Some residencia appeals were entertained by the viceroy and real acuerdo, but others were rejected. Apparently Argüello's downfall came not as a result of his theft of Pacheco's mules, but as a consequence of allegations that Argüello had misappropriated gunpowder belonging to the
Crown. In the end, as fray Andrés Suárez pointed out in 1647, it was often the citizens and missionaries of New Mexico who bore the brunt of the governors' misconduct.

Notes


2. The New Laws of the Indies of 1542 created a code of law for Native Americans in the New World. The opposition in New Spain and Peru to these pro-Indian laws was so severe that many provisions were revoked. Although trafficking in Apache slaves was contrary to the Laws of the Indies, legal authorities in New Spain generally looked the other way until 1659, when a decree was issued by the Audiencia of Guadalajara prohibiting this illicit commerce. Real provisión regarding the manumission of Apache slaves, Guadalajara, [31 October 1659], Tierras 3286, Archivo General de la Nación, Mexico City, Mexico [hereafter AGN]. For a discussion of the Apache slave trade on the northern frontier, see Rick Hendricks and Gerald Mandell, "The Apache Slave Trade in Parral, 1637–1679," The Journal of Big Bend Studies 16 (2004): 59–81.

3. The term native, in this article, refers to locally produced goods.

4. Lorenzo Lebrón de Quiñones, quoted in José María Mariluz Urquijo, Ensayo sobre los juicios de residencia indios, serie 2, no. general 70 (Seville: Escuela de Estudios Hispano-Americanos de Sevilla, 1952), 48–49.

5. Mariluz Urquijo, Ensayo, 18–19.


7. When the Recopilación de leyes de Indias was published in 1681, it provided that, by law, officeholders appointed by the viceroy of New Spain (as was the governor of New Mexico in this period) were to have their residencias conducted by judges commissioned specifically for that purpose. Residencias were to be reviewed by the audiencia, which would also hear appeals of any publicly lodged complaints. This law, which became Book 5, title 15, law 4, was derived from two earlier laws: Carlos I, Barcelona, 10 November 1542 and Felipe II, Segovia, 3 September 1561. The legislated exception to law 4 was Book 5, title 15, law 7. This law held that the governor and captain general of the Philippines was to have his residencia conducted by his immediate successor, even though there was no special commission to do so. This interpretation was based on Felipe IV, Madrid, 4 December 1630, in Recopilación de leyes de los reinos de las Indias, 4 vols., facs. ed. (1681; reprint, with a foreword by Ramón Menéndez y Pidal, a preliminary study by Juan Manzano Manzano, Madrid: Cultura Hispánica, 1973).

8. Pedro Rodríguez Cubero's attempt to conduct Diego de Vargas's residencia deteriorated into a bitter, protracted lawsuit. Given the trouble between the two men, Rodríguez Cubero was permitted to leave New Mexico after his term was completed.
without undergoing the residencia that Vargas should have overseen. Rick Hendricks, “Pedro Rodríguez Cubero: New Mexico’s Reluctant Governor, 1697–1703,” New Mexico Historical Review 68 (January 1993): 27–34.

9. Technically, provincial governors and alcaldes were prohibited from engaging in commerce or from owning mining properties. Yet, from the earliest colonial years, New Mexico governors dealt in native commodities and Indian slaves. Appointed officials in Nueva Vizcaya were even more creative. Shortly after arriving in Parral in 1641, Luis and Melchor de Valdés (governor and alcalde mayor, respectively), entered into a clandestine agreement to lease a silver refinery. Capt. Diego Galiano v. Gen. Melchor de Valdés, Civil lawsuit, Parral, 4 January 1649–22 December 1660, ff. 1002b–246a, r. 1649C, AHP. See f. 1013a regarding illegality.

10. Marriage of Domingo Flores de Sierra (a native of the Concejo of Valdés, Asturias) and Andrea (surname unknown), 2 October 1672, Parral Marriages, microfilm 0162555, Church of Latter-day Saints Archives [hereafter LDS], Salt Lake City, Utah; and Marriage of Juan Flores de Sierra and María Nicolasa de Aguilar, Mexico City, 11 May 1681, Sagrario Metropolitano (Mexico City), Marriages, microfilm 0035255, LDS. Governor Flores’s son, Diego Flores de Valdés, was born at San Bartolomé. He married Luisa de Mora in Mexico City in March 1654. See Marriage of Diego Flores de Valdés and Luisa de Mora, Mexico City, 19 March 1654, Sagrario Metropolitano (Mexico City), Marriages, microfilm 0035255, LDS. For details of Rosas’s career, see France V. Scholes, “Church and State in New Mexico, 1610–1650: Chapter V, The Administration of Luis de Rosas, 1637–1641,” New Mexico Historical Review 11 (October 1936): 297–325.


21. Marriage of Juan de Heredia and Eufracia Pacheco, 10 October 1637, Parral Marriages, microfilm 0162555, LDS.
24. Pedro de Zubia Pacheco, Petition for a grant of encomienda, Parral, 14 September 1635, ff. 40b–41b, r. 1635, AHP.
27. George Peter Hammond and Agapito Rey, eds. and trans., Juan de Oñate, Colonizer of New Mexico, 1595–1628 (Albuquerque: University of New Mexico Press, 1953), 2:289, 2:685. Juan’s mother was Juana de Trejo y Sosa. Capt. Juan de Zubía Pacheco, Will, Parral, 11 February 1654, ff. 1042b–44a, r. 1653B, AHP.
28. By 1652, Juan Ramírez de Salazar had become a part-time resident of the Parral district, where he owned a farm and varas in a mine. Juan Ramírez de Salazar to Licenciado Diego de Mora, Power of attorney, Parral, 12 October 1652, ff. 1058a–59b, r. 1652C, AHP.
29. Gen. Alonso Pacheco, Petition, Parral, 11–14 May 1642, ff. 1176b–80b, r. 1642B, AHP; France V. Scholes, “Church and State in New Mexico, 1610–1650: Chapter VI, Rosas Pays the Price, 1641–1642,” New Mexico Historical Review 11 (October 1936): 345. Gen. Melchor de Valdés, born ca. 1601, was a native of the city of Granada and the younger brother of Gov. Luis de Valdés. Melchor had served the Crown in Flanders and was governor of the province of Soconusco (Chiapas, Mexico) between 1632 and the late-1630s. His wife was Cecilia Jofre. By the early 1640s, the couple had assets of sixty thousand pesos. Causing scandal in Parral, Melchor was accused of distributing mercury to miners at inflated prices, which prompted an inquiry by Alonso González de Villalba, a juez pesquisidor (special investigative judge) dispatched from Mexico City. Valdés was buried on 27 April 1666. Capt. Diego Galitoño v. Gen. Melchor de Valdés, Civil lawsuit, Parral, 4 January 1649–22 December 1660, ff. 1002b–1246a, r. 1649C, AHP; and Parral Burials, microfilm 0162562, LDS.
30. Capt. Alonso Pacheco and Capt. Lucas de Zubia Pacheco to Licenciado Miguel de Barzenabal Maseda, Slave sale, Parral, 7 July 1642, ff. 1038b–40a, r. 1641B, AHP.
31. Pedro de Zubia Pacheco to Bernardo Gutiérrez, Sale of houses, Parral, 30 July 1642, ff. 1074b–1075b, r. 1641B, AHP.
32. Scholes, “Church and State, Chapter VI,” 345.
33. Scholes, “Church and State, Chapter VII,” 83.
34. Scholes, “Church and State, Chapter VII,” 93.
37. Documents regarding the appointment of Luis de Valdés as governor of Nueva Vizcaya, Madrid and Durango, 24 December 1638–28 January 1641, ff. 6b–14a, r. 1641A, AHP.
39. Argüello Carvajal became a judge in 1628, having earlier served as fiscal (the viceroy’s investigative attorney) for civil and criminal matters. Ernesto Schafer, La labor del Consejo de Indias en la administración colonial, vol. 2 of El Consejo Real y Supremo de las Indias: Su historia, organización y labor administrativa hasta la terminación de la Casa de Austria (Seville: Centro de Estudio de Historia de América, Universidad de Sevilla, 1947), 455, 464; and José Ignacio Rubio Mañé, El virreinato (Mexico City: Instituto de Investigaciones Históricas, UNAM/Fondo de Cultura Económica, 1983), 1:96, 4:100.
40. Criminal case against Fernando de Argüello Carvajal, Mexico City, 6–16 February 1643, Inquisición, 179:3, AGN.
42. Hendricks and Mandell, “Francisco de Lima,” 286 n. 15.
44. Diego de Peñalosa to Governor Gorraez, Petition, Santa Fe, 14 November 1661, f. 912b, r. 1662B, AHP; and France V. Scholes, Troublous Times in New Mexico, 1659–1670, Historical Society of New Mexico Publications in History, 11 (Albuquerque: University of New Mexico Press, 1942), 111–13.
46. Ibid., 277.
47. For Ortega’s racial designation see fray Alonso de Posada, List of colonists, Senecu, 3 November 1662, Inquisición 587, AGN. In the late 1660s Ortega was living on the Estancia de San Nicolás, located at the north end of what is now downtown Albuquerque, “one short league” (2.5–2.75 miles) south of Capt. Alonso García’s hacienda. Capt. Francisco de Ortega, Declaration, Convento de Nuestra Señora de los Angeles de Pecos, 30 June 1670, Inquisición 666, AGN.

49. Luis de Valdés, born 1591 (a decade earlier than Melchor), was a native of Granada, the son of Capt. Luis de Valdés and Elvira Rejano. He distinguished himself as a military commander in Flanders, became a knight of Santiago in 1630, and was a member of the Council of War for the Flemish States. Valdés took possession of the office in January 1641 and served until 1648. He married María de Alcega of Santa María de las Parras, Nueva Vizcaya, on 2 February 1643. Luis de Valdés, Investigation for membership in the order of Santiago, 1630, microfilm 1629363, Real Consejo de Ondenes Militares, LDS; and Marriage of Luis de Valdés and María de Alcega, 2 February 1643, microfilm 0605241, Parras Matrimonial Information, LDS.

50. Scholes, “Church and State, Chapter VI,” 345.

51. Dr. Pedro Melián was the Conde de Salvatierra’s fiscal in the Audiencia of Mexico. Documents relating to the establishment of the presidio of Cerro Gordo, Parral and Tisonaso, 26 July–12 August 1646, ff. 129b–168b, r. 1646A, AHP.

52. Luis de Guzmán y Figueroa was dead by December 1650. Although his widow, Clemencia de Rivera, was living in the city of Toledo by 1655, Luis’s heir was his brother, Manuel de Guzmán y Figueroa. Hendricks and Mandell, “Francisco de Lima,” 286 n. 16; and France V. Scholes, “Civil Government and Society in New Mexico in the Seventeenth Century,” New Mexico Historical Review 10 (April 1935): 89.


55. Documents indicate that Pacheco obtained another office. In 1652 a royal cédula was issued to extend Pacheco’s payment period of debts from tributes, alcabalas (sales tax), and the media anata. Since the alcabala was not collected in early seventeenth-century New Mexico, Pacheco’s new post must have been elsewhere in New Spain. Hacienda Pública, Media anata, Sobre la espera que se hizo al General Alonso Pacheco de Heredia, Mexico City, 9 October 1651, Reales Cédulas Duplicadas, 18:388, AGN.


57. Fernando de Argüello, Statement, Mexico City, 11 September 1649, Tierras 3283, AGN.

58. Scholes, Troublous Times, 114.


63. The real acuerdo was a meeting of the audiencia or its senior members to discuss a particular legal, political, or administrative topic. It also referred to the actual decision rendered therein.

64. Borja Barco became a relator of the Audiencia of Mexico in 1661. He was named an oidor (judge) in 1671 but did not take up the post. Schafer, *La labor del Consejo*, 522. In January 1671 Borja Barco entrusted a mulatto slave to Miranda, who was on his way to Parral and New Mexico to take up the governorship. Miranda was to sell the slave in Parral to Valerio Cortés del Rey. Diego de Borja Barco to Capt. Juan de Miranda, Authorization to sell a slave, Mexico City, 24 January 1671, ff. 1517b–18b, r. 1671C, AHP. The viceroy in April 1673 was the Marqués de Mancera, Antonio Sebastián de Toledo Molina y Salazar. Although several complaints were lodged during Miranda’s 1675 residencia, Francisco de Valencia came forward to testify about the fine moral example Miranda had set for the colonists while he was governor, stating that “he provided a very good example with his way of living.” Miranda’s residencia was conducted by his replacement, Juan Francisco de Treviño (1675–1677), a native of Navarre, who had experience as an infantry captain in Flanders. *Residencia of Gen. Juan de Miranda*, Santa Fe, June–July 1675, Civil 511, AGN.

65. Sgt. Francisco de Ortega to Alferez Francisco Domínguez, Parral, 17 May 1646, f. 55a, r. 1643B, AHP.


69. Gov. Diego de Peñalosa to Capt. Pedro Francisco de Sarti16161616, Santa Fe, 2 October 1662, f. 704b, r. 1670B, AHP.

70. Gov. Diego de Peñalosa to Juana de Armendáriz, Santa Fe, 20 August 1662, Tierras 3283, AGN.

71. The audiencia ruled that Miranda had acted arbitrarily in 1664 and granted Peñalosa a two-year term in which to stand residencia in proper form. Miranda was subjected to a confiscatory residencia in 1665, and the audiencia ruled in his favor. His property was restored, and he was later appointed governor a second time (1671–1675). Scholes, *Troublous Times*, 134, 219–20.