

7-1-2017

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Recommended Citation

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The Politics of Slavery and Social Hierarchies in Colonial, Mexican, and Territorial New Mexico

WILLIAM S. KISER



This article explores the political and cultural differentiation between racial groups in New Mexico that began during the Spanish colonial era and lasted well into the U.S. territorial period, when Anglo American newcomers applied similar racial ideologies to the regional population. Once New Mexico was formally designated a U.S. territory with the Compromise of 1850, the mixed racial ancestry of Hispanic inhabitants became an issue in political debates over its future status in the Union and adversely impacted statehood ambitions. I argue that the Southwest's ethnically heterogeneous society emanated in large part from traditional systems of slavery, servitude, and fictive kinship that originated during the long colonial period preceding the American conquest in 1846. New Mexico's failure to attain equal political status and representation as a state during the U.S. antebellum and Civil War eras owed in large part to national debates about the ethnicity and race of its people. Those discussions, however, not only revolved around American nativists' disdain for Catholic Hispanics but were also rooted in congressional arguments over the Southwest's unique systems of involuntary servitude. Those two areas of debate—one involving Hispanic race and ethnicity and the other pertaining to alternative modes of enslavement—were much more closely connected than

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scholars have previously acknowledged in the historiography on race and politics in former Spanish and Mexican possessions in the Southwest.

Historical discussions on nineteenth-century New Mexico politics have identified a number of reasons for the territory's long-term struggle to achieve statehood. These obstacles include local factionalism, American nativism, the competing ideologies of slavery and free labor in the West, and even simple bad luck and poor timing. The present work expands understanding of the problem by arguing for a direct link between regional systems of slavery and servitude in the form of debt peonage and Indian captivity and national debates over race and ethnicity in the Hispanic Southwest and the right to full citizenship in the United States. In various ways, the scholars of New Mexico politics and statehood have all pointed to nineteenth-century Protestant Americans' contempt of Hispanos and their culture as a contributing factor in the territory's protracted and, until 1912, futile political ambitions. But none of the existing scholarship in this area has sufficiently examined the manner in which multicultural systems of slavery created the mixed-blood population that Americans so heavily criticized in the first place and cited as reasons to withhold statehood and full political participation.¹

When Spanish census-takers set out to enumerate New Mexico's population in 1790, they took great care to distinguish between ethnicities and phenotypes in their records. Their reports clearly delineated the various caste groups—Spanish, Indian, *mestizo* (a mixture of Spanish and indigenous heritage), *coyote* (mestizo and indigenous), and *mulatto* (black and white)—inhabiting the province.² That same year, Comandante General Jacobo Ugarte y Loyola issued a *bando* (decree) that placed far-ranging social and physical restrictions on the mixed-blood populace. “No Mestizo Indian, or those of other tributary caste, may leave their place of residence,” the order stated. Any such person wishing to travel first had to obtain a certificate that described his state or province of residence, his social status, the race of deceased family members and their tribal origin, and his ethnic heritage of either pure- or mixed-blood. The mandate's twelve articles regulated daily life for persons of diverse ancestry in northern New Spain.³

Generations of Indian slavery, with its inevitable transcultural relationships, created polyethnic families and communities in New Mexico, which many Anglo Americans, opposed to “miscegenation,” sharply criticized in the mid-nineteenth century. Over several generations in the 1700s, debt peonage and captive servitude became entrenched in the region's patriarchal traditions, providing a visible indicator of social and ethnic prestige among elites.⁴ In the twentieth century, Fabiola Cabeza de Baca, whose family traced its lineage in northern New Mexico back many generations, wrote that the province “was

strictly a feudal system and the wealth was in the hands of the few.” Explicitly comparing Spanish haciendas to Southern slave plantations, she wrote, “The *ricos* of colonial days lived in splendor with many servants and slaves.”⁵ Beginning in Spanish times, masters sometimes bequeathed captives and peons to their children or other heirs, and this trend continued into the territorial period. In some rare instances, when no male beneficiary existed, widows inherited their deceased husband’s servants.⁶ Even when captives assimilated or acculturated into Spanish families through marriage or baptism, they often remained a symbol of wealth for their masters and, like chattel slaves in the South, could be willed to a family member in the same manner as land, money, or other tangible property.⁷

Social stratification in mid-nineteenth-century New Mexican culture was inherently based on a preexisting notion of racial purity called *limpieza de sangre* (purity of blood), which originated in Spain and was intended to affirm prestige and honor among propertied aristocrats and learned ecclesiastics.⁸ Fray Francisco Atanasio Domínguez, touring New Mexico in 1776, conveyed the Spanish preoccupation with blood purity. Of the inhabitants in one village, he reported, “Most of them are low class, and there are very few of good, or even moderately good, blood.”⁹ His statement directly linked ancestry to social status or rank. In Spain’s New World colonies, *limpieza de sangre* could be sustained only through bloodlines free of Native American or African contamination. This concept perpetuated a system of racial and ethnic inequality, with pure-blooded Spanish elites (*españoles* and *ricos*) comprising the landholding class at the top of the hierarchy, followed by *genízaros*, coyotes, and mestizos of mixed Indian and Spanish blood who held lower status in the colonial society. As early as 1650, mestizos and *criollos* (Spanish subjects born outside Spain) already outnumbered pure-blooded *españoles* in Spain’s New World empire, meaning that a select few ruled over the masses.¹⁰

The Spanish preference for female slaves aided the proliferation of mestizaje in the Americas through both coerced and voluntary cross-cultural sexual relationships.¹¹ Marriage comprised one method of acculturating captives, but redemption through ransom—or even outright purchase—of captives from Indian tribes formed another important means by which Nuevomexicanos obtained slaves. Between 1700 and 1880, an estimated five thousand *indios de rescate* (Indian captives redeemed through purchase) and *genízaros* entered New Mexico in this way and, in many cases, spent their lives as objectified outsiders and servile bondpeople in their communities.¹²

By the late 1700s, *genízaros* comprised a social class and ethnic enclave that originated with and evolved almost exclusively through New Mexico’s Indian slave trade. The term had two definitions in the eighteenth century. In Spain it

simply meant a “Spanish-born son of a foreigner,” but in New Mexico it took on an entirely different meaning that applied to detribalized Indian captives taken in war or acquired through trade. Even after conversion to Christianity, many *genízaros* lived in segregated communities on the outskirts of villages, a testament to their ostracism in New Mexico’s racially stratified society. *Genízaros* represented one circumstance in which a rigidly identifiable ethnic hierarchy metastasized outside the formal legislative and judicial arenas of the Spanish, Mexican, and U.S. periods of sovereignty. *Genízaros* developed clear patterns of shared consciousness and intergroup behavior that became discernable in segregated communities, strategic military cooperation, and participation in recurring communal festivals.¹³

The term *genízaro* emerged in the early eighteenth century as a label to describe a new class of New Mexicans whose biological lineage diverged from that of pure-blooded Spaniards. The mention of detribalized *genízaros* as residents of peripheral colonial communities in Spanish documents coincided with the culmination of the Spanish *reconquista* of New Mexico in the 1690s, when Euroamerican enslavement of indigenous peoples began to shift from sedentary Pueblo Indians to nomadic Apaches, Comanches, Navajos, and Utes.¹⁴ The *genízaro* distinction, an outcome of the multilateral captive trade, was highly contingent on their disassociation from natal tribes to impose and sustain a group identity.¹⁵

Spanish officials exploited *genízaro* communities for utilitarian purposes. First, as detribalized and sometimes bilingual Indians, *genízaros* frequently served as interpreters, enabling Spanish colonists to communicate with nomadic groups during trade fairs or diplomatic meetings. Fernando de la Concha, an outgoing governor of New Mexico, informed his successor in 1794 that *genízaros* were an indispensable resource to the colony. For instance, Manuel Mestas, a *genízaro* at Abiquiú, fulfilled this role with the Utes in the north. Farther south at the villages of Sabinal and Belén, Lereto Tores and a man referred to only as Matías served in similar capacities as interlocutors between Spaniards and the Mimbres Apaches.¹⁶

Second, *genízaros* helped defend New Mexico’s interior settlements, essentially functioning as “ethnic soldiers” in an ostensibly Spanish defense force.¹⁷ By segregating quasi-Hispanicized Indians in communities on the periphery of Spanish villages, colonial officials established buffers to shield Euroamerican settlers and Pueblo Indians from the raids of nomadic tribes living to the north, west, and east of the province. Many *genízaros* were aware of—and even embraced—this expectation. When petitioning the governor in 1733, one *genízaro* group pointed out that its proposed settlement at Sandía Pueblo would be advantageous to the interior communities, for the location “is a frontier

and the gateway of the Apache enemies.” The petitioners claimed that permanent occupancy at the formerly abandoned site would impose an “obstructing entrance” into the province, and they promised to frequently scout against Apaches.¹⁸

As governor in 1769, Pedro Fermín de Mendinueta attested to this role when he ordered *genízaros* to reoccupy several previously abandoned towns near Ojo Caliente on the Chama River. As subjects of the Spanish crown, these people had a duty to patrol and monitor the frontier. If left unprotected, New Mexico’s more secluded villages would be “exposed to total ruin.”¹⁹ Further encouraging *genízaros* to embrace a military role in Spanish colonies, some provincial officials suggested that the viceroy in Mexico City extend full rights of citizenship to them and, in appropriate instances, issue them land grants on the frontiers.²⁰ In the case of New Mexico, any Apaches, Comanches, Navajos, or Utes attempting to raid colonial settlements would first encounter *genízaro* groups, which theoretically would offer initial resistance to hostile invaders.²¹ In this sense, Spaniards slyly pitted detribalized Indians against their former kin, and in so doing the colonial officials further redefined community roles and personal obligations within a society that revolved around patriarchal systems of captivity and enslavement.²²

A further testament to the multipurpose hybridized identity of *genízaros* was their practice of adopting Spanish surnames that masters provided them and priests legitimized through baptism. Juana Luján, a landholder of unusually advanced social status who lived at the northern New Mexico village of Santa Cruz in the mid-1700s, served as the godmother to at least fourteen parentless boys and girls—including several *genízaros*—who were baptized at nearby San Ildefonso Pueblo. In each instance, the presiding priest assigned Luján’s surname to the children.²³ In 1746 Lt. Gov. Bernardo Bustamante similarly sponsored the baptism of eight Apache infants at Jemez Pueblo.²⁴ Gilberto Benito Córdova relates the story of his grandmother, “a full-blooded Indian, forcibly brought to Abiquiú,” who took up residence with Vicente Córdova and his wife, Gerónima, at their home in San Miguel de la Puente. The family adopted her “as a domestic servant,” and she took the surname Córdova, learned to speak Spanish, and received baptism in the local church.²⁵ In some instances, ritualistic and symbolic conversion was voluntary. In 1755 a group of seventy-seven *genízaros* petitioned Gov. Gervasio Cruzat y Góngora to establish a settlement at the abandoned Sandía Pueblo north of Albuquerque. The supplicants professed reverence for their newfound spirituality, informing the governor that they had “received for our great benefit the waters of baptism and with it the faith of the holy mysteries of the very high Lord, a favor so excellent and singular for which we are obliged and grateful.”²⁶

Their societal functions as translators and armed protectors, coupled with their categorization as baptized subjects, enabled *genízaros* to seek forms of legal redress that would have been unthinkable for captive slaves who had not converted to Catholicism and accepted their new roles within the community. In 1763 two Albuquerque servants named María Paula and Manuela issued a formal complaint against their *amos* (masters), Thomas and Ysabel Chaves, their appeal ultimately reaching the provincial governor. Three years later, a *genízara* named María filed a petition for her freedom that passed through the bureaucratic channels to Gov. Tomás Vélez Cachupín at Santa Fe. That these women came forward with such complaints indicates that *genízaros* did indeed develop grievances as either slaves or debt peons, and the wording of the three appeals, referring to them as *criadas* (female servants), further distinguishes their low rank in Spanish colonial society. The fact that they managed to have their complaints heard by the governor speaks to the measure of their status—even as enslaved women—within Spanish New Mexico.²⁷ Because of their Catholic faith, fluency in the Spanish language, and utilitarian community roles, *genízaros* were viewed by masters and civic leaders with less disdain than unbaptized Indian captives. Although they still constituted a dependent servile caste, *genízaros* possessed certain social and legal privileges that Indian slaves who had not embraced Catholicism lacked.

While most Indian captives in the Southwest lived in a household with their *patrones* (masters), *genízaros* were the closest thing outside the Pueblos to a racially segregated population in New Mexico. Among the earliest statistical enumerations of *genízaros* is that of Fray Domínguez, who observed in 1776 that New Mexico contained three readily identifiable *genízaro* communities: one at Santa Fe numbering forty-two families (297 persons); another at Abiquiú consisting of forty-six families (136 persons); and a third at Los Jarales, south of Belén, boasting forty-nine families (209 individuals).²⁸ These locations represented only the largest and most visible communities in the province; smaller groups of just a few families dotted the New Mexican countryside but seldom received mention in Spanish reports.²⁹ Domínguez noted that clusters of *genízaros* lived in most northern New Mexico villages but that “they have no true home, because hunger and the enemy pursue them from every side.”³⁰ Not all of the *genízaros* in these communities were actual slaves, and many of them would have enjoyed a certain amount of autonomy due to their religious and linguistic assimilation. But their marginalized social status and lack of upward mobility through landownership left them vulnerable to the emerging system of peonage, which subjected many indigent New Mexicans to involuntary labor through debtor servitude beginning in the late 1700s.³¹

Because of their exposed frontier locations, *genízaro* communities became favorite targets of Apache and Comanche raiders. After its founding in 1822 during the Mexican period, the village of Anton Chico on the Pecos River repeatedly fell victim to raids for captives and remained vulnerable into the 1860s. When Navajos began arriving at nearby Bosque Redondo in 1863, members of that tribe often slipped away from the reservation, struck the village, and stealthily returned before military authorities detected them. Residents of Anton Chico reciprocated and frequently held Apaches and Navajos in bondage.³² Moreover, situated on the eastern fringe of the Sangre de Cristo Mountains, occupants of towns like El Cerrito and San Miguel del Vado had much closer contact with Southern Plains tribes and, especially in the U.S. territorial era, carried on an unsanctioned trade that continually frustrated civil officials and military officers seeking to foster peaceful relations with surrounding nomadic groups. One army officer, conducting a reconnaissance of the Pecos River valley in 1851, informed headquarters that local inhabitants—especially those of Anton Chico—“are more frequently in communication and on better terms with the Indians than all the other towns put together, whilst their remote position enables them to trade unlicensed with the Savages.”³³ When Col. Christopher “Kit” Carson and his troops fought the Comanches at the First Battle of Adobe Walls on 25 November 1864, Indian agent Levi Keithly noted afterwards that exposed eastern New Mexico villages, despite a history of amicable relations with the Comanches, might face their retaliation.³⁴

As the nineteenth century wore on, New Mexico’s ethnic groups experienced ongoing transculturation, and terms like *genízaro*, *mestizo*, and *coyote* began to slip into obscurity.³⁵ The rigidity of the caste system had also waned during the first two decades of the nineteenth century, largely because generations of intercultural relations meant that few criteria of ethnic differentiation, such as dark skin color, foreign language, and non-Catholic religion, remained obvious to outsiders. Under the new Republic of Mexico, a symbolic shift in New Mexico’s stratified social order occurred with the issuance of the Plan de Iguala (Plan of Equality) in 1821, which sought to eliminate racial caste systems by establishing a precedent of social egalitarianism.³⁶ Such initiatives corresponded with the overarching liberalism of Enlightenment thought that underlay many of the Western Hemisphere’s democratic revolutions during the late eighteenth and early nineteenth centuries. Mexico’s official abolition of racial castes and social hierarchies symbolized this purported dedication—in law if not in practice—to notions of republicanism in emerging Latin American nations.

In 1824 Mexico’s first democratic constitution perpetuated the egalitarian tenets of the Plan de Iguala by declaring all persons residing within the nation’s boundaries to be citizens, equal before the law, regardless of racial or ethnic

background. This largely emblematic declaration did not produce full-fledged social equality for lower-class persons of mixed blood, but it did eliminate the idiom of caste in official government and church documents. Regardless of any technical or superficial changes, however, many New Mexicans remained cognizant of race and ethnicity in their day-to-day societal interactions.³⁷ During Mexico's early post-independence era (1821–1846), terms such as *mestizo* underwent an etymological transformation, with more generalized words like *Mexicano* coming into widespread use in describing persons of mixed ancestry in the Borderlands region. Within the local society of New Mexico, few racial categorizations survived the Mexican era, although *genízaros* have persisted into modern times as a distinct cultural and ethnic enclave.³⁸ Despite the importance of social hierarchy during the Spanish colonial era, race became less of an impediment to upward mobility and community status during the liberalizing Mexican period.³⁹ That same era also saw transitions toward antislavery ideology among many leaders in Mexico City and outlying provincial capitals.

Newly independent Mexico endeavored on multiple occasions to outlaw slavery during the 1820s and 1830s, largely in response to increasing pressure from European abolitionists and the infant country's desperate need to attain diplomatic recognition from powerful and wealthy countries like England and France. American colonization projects in East Texas, populated with Anglo *empresarios* (land grant holders) and their black slaves, also spurred Mexico City lawmakers to action on the issue of slavery. During their debates over the constitution of 1824, Mexican officials found slavery too contentious to deal with at the national level and opted instead for a popular-sovereignty approach that allowed states to legislate it individually. Pres. Vicente Guerrero, however, issued a sweeping emancipatory edict by way of executive order in 1829, and the Mexican Congress again forbade slavery in 1837 as a response to the Texas Revolution and the role that plantation slavery played in that federalist upheaval.⁴⁰ The national government's legislative overreach that stemmed from Texas independence also caused a similar uprising in northern New Mexico involving subjugated, overtaxed Hispanos of their community's lower class. In a violent rejection of federal power, participants in the Chimayó Rebellion of 1837 captured and killed the centralist governor Albino Pérez to further local autonomy within the Mexican Republic. Tellingly, the insurrectionaries installed a man of their own social status, the *genízaro* José Angel Gonzales, as the new governor.⁴¹

Mexico's disavowals of the "peculiar institution" in the 1830s ultimately failed to emancipate bondspeople in Texas—which simply rebelled and became its own nation—and had little impact in New Mexico, where debtor servitude and Indian captivity already satisfied the demand for involuntary labor. In fact,

peonage became more widespread during the Mexican period because of the Santa Fe Trade, which promoted capitalist expansion, exposed New Mexico to external markets in the United States, and increased labor needs in both the Río Arriba and the Río Abajo.⁴² Mexican policies on race and slavery in the post-independence era actually influenced popular opinion in the United States a generation later. Despite the fact that none of the aforementioned antislavery mandates bore much significance in New Mexico, Americans nonetheless engaged in vigorous debate over the validity and applicability of such laws once the Southwest became a part of the United States.

As early as August 1848—just two months after the Treaty of Guadalupe Hidalgo was ratified—congressmen already questioned the legitimacy and enforceability of Mexican anti-slavery statutes. Vermont representative George P. Marsh worried that Mexico's prohibitions of slavery in 1829 and 1837 violated that country's original constitution of 1824—which, he pointed out, “embrace[d] not technical slavery alone, but that barbarous relic of ancient Roman law, peonage.” Hoping to prevent the spread of slavery into California, Utah, and New Mexico, Marsh demanded that Congress pass a law of its own to ban the peculiar institution in those regions. Otherwise, he feared that U.S. judges would invalidate abolition statutes from the Mexican era and in so doing enable the reintroduction of legally-sanctioned slavery under American sovereignty.⁴³

This issue came up repeatedly as Congress debated the admission of New Mexico as either a territory or a state. In February 1850, Sen. John M. Berrien of Georgia rightly pointed out that Mexico's laws had no “obligatory power” upon the United States, and it therefore made no practical difference whether or not slavery had been abolished there. It was absurd, the Georgia statesman insisted, that another nation's anti-slavery statutes somehow applied to New Mexico now that it belonged to the United States.⁴⁴ Jefferson Davis, serving at the time as a senator from Mississippi, added to his colleague's position by reading translations of all three Mexican statutes pertaining to slavery. In blunt terms, he proclaimed that the United States had sacrificed thousands of American lives and paid \$15 million to acquire the Mexican Cession lands. The assertion by some northerners that that territory should remain “subject to the constitution and laws of Mexico” struck Davis as inconceivable.⁴⁵

The Americanization of New Mexico politics, culture, and economy was underway well before U.S. troops marched on Santa Fe in August 1846, and the congressional debates over preexisting Mexican slave laws reflected the territory's troubled transition in political sovereignty. Although their prominence in the official records declined between 1821 and 1846, the racial categories and social hierarchy imposed under Spain that sanctioned slavery and peonage lasted well beyond the U.S. conquest and, in fact, underwent a resurgence when

New Mexico formally came under U.S. control in 1848. In the mid-1800s, Anglo American merchants, politicians, civil officials, and army officers seized on New Mexico's racially diverse citizenry as a political tool, cleverly utilizing the ethnic and racial prejudices of the Anglo American public to oppress Hispanics and advance their own economic and political designs in the territory. Indian slavery in the Southwest Borderlands became a point of contention in the East over the political future of New Mexico. The derision that native Hispanics endured at the hands of Anglo American newcomers originated in the racial attitudes and hierarchies of the Spanish colonial era, but took on increased political significance once the region came under U.S. control during and after the U.S.-Mexico War.

In the nineteenth century, Anglo American ethnocentrism elevated native-born whites to the summit of their racial hierarchy while assigning Indians, Hispanics, and African Americans to the bottom. Throughout the mid-1800s, most Anglo newcomers to New Mexico believed that Indians and Hispanics were unworthy of inclusion in "civilized" American society. After more than two centuries of acculturation and assimilation—much of which revolved around systems of captive enslavement and coercive servitude—the ethnocentrism that encouraged Spanish notions of caste and blood purity lingered in the Southwest and impacted New Mexican politics at the territorial and national levels. During the Civil War era, American ideas of racial supremacy would perpetuate the oppressive ethnocentrism that outsiders used to marginalize native New Mexicans in their own homeland.

In 1852 Asst. Surg. John F. Hammond of the U.S. Army applied the ideology of scientific racism to describe the inhabitants of the Southwest as almost invariably mestizo. "He does not possess the perpendicular square forehead of the same class in the valley of Mexico," Hammond wrote about the New Mexicans, "but has the low, retreating front, high cheek-bones, and oblique eyes of the surrounding Indian tribes."⁴⁶ The complexity of genealogical origin in the region, however, often went unrecognized among American newcomers, who generally viewed Hispanics through a racially prejudiced frame. The very nature of the Indian slave trade—a multilateral system involving perhaps a half dozen different tribes and scores of subgroups within those tribes—meant that no simple distinction between ethnic groups could be drawn from physical appearances, although many Anglos who ventured into the territory after 1846 would attempt to sort New Mexicans into simple categories of ascribed identity.⁴⁷

In early 1861, as southern states seceded from the Union, a desperate U.S. Congress debated the admission of New Mexico as a state, with or without slavery, as one of a package of solutions to save the Union and prevent civil war. On the House floor, Republican representative Alfred Burnham of Connecticut

delivered a lengthy speech berating New Mexico as nothing more than “a few thousand Americans, a few thousand Mexicans, and the balance of mixed bloods and peons.”⁴⁸ The abolitionist Pennsylvania representative Thaddeus Stevens more bluntly referred to New Mexico’s people as nothing more than a conglomeration of “Indians, Mustees and Mexicans.”⁴⁹ Both these northern men, despite championing the freedom of African American slaves, exhibited remarkable levels of racism toward Hispanics in the Southwest. At the local level, U.S. officials holding political and judicial office held similar views. New Mexico district judge John S. Watts believed that the territory contained only a few thousand Anglo Americans, along with “forty-four thousand peons, and forty-four thousand Indians, about half civilized.”⁵⁰ Tellingly, all three observers ascribed peon status to landless Hispanos, asserting their racial superiority through the marginalization of those whom they viewed as indigent and dependent servants.

Influenced by their prejudice toward Indians and Hispanos, some northerners who staunchly abhorred slavery and fought for the emancipation of southern slaves turned a blind eye to the plight of captives and peons. Many Americans differed over whether Hispanos should be classified as Indians (on the basis of their mixed-blood ancestry) or as blacks (on the basis of their darker skin color and behavioral characteristics, which many saw as depraved and uncivilized).⁵¹ South Carolina senator John C. Calhoun, speaking before Congress in January 1848 on the impending annexation of Mexico’s Far North, typified the white American attitude toward southwestern inhabitants. He declared, “We have never dreamt of incorporating into our Union any but the Caucasian race.” Calhoun claimed that over half of all Hispanos were actually Indians, with the other half being various mixtures of European and indigenous ancestry. Absorbing ceded portions of the Mexican Republic at the level of statehood—which meant equal representation in Congress and full voting rights for most male inhabitants—would be unacceptable to Calhoun and his constituents because, as the senator himself proclaimed, the United States “is the Government of a white race” and the inclusion of mixed-blood Hispanos would undermine “the social arrangement which formed the basis of society.”⁵² Calhoun’s speech in 1848, laced with bigotry, epitomized one of the most common arguments that Anglo Americans proffered against the admission of New Mexico into the Union on equal political footing with the eastern states. The elder statesman spoke for many of his peers when expressing an overall aversion to the enfranchisement of nonwhites and a fear that social and ethnic regression might occur on incorporating Mexicans or mestizos into the United States body politic.

Some Hispanos, mainly those with a formal education and financial means, took notice of such racial prejudice and acted to stem the tide of ethnocentrism

in the East. New Mexico congressional representative Miguel A. Otero, for example, published in several newspapers a specious statement that relied chiefly on Anglo American ignorance of Southwestern culture. Recounting the centuries-long relationship between Spanish colonists and regional tribes, and criticizing Indians as “sullen and reluctant” slaves, he declared that “the two races never amalgamated.” Otero disavowed allegations that his Hispano constituents were “a hybrid race” of European and indigenous peoples, calling such a notion “groundly defamatory and shamefully mendacious.”⁵³ He affirmed the superiority and nobility of his fellow Hispano aristocrats, but his illusory claims marginalized the multiethnic population derived from well-entrenched systems of involuntary servitude and fictive kinship. These denials of truth visible to the eyes, coupled with intentional neglect or manipulation of the issue, began at the local level with territorial officials, legislators, and newspaper editors, and spread to a national audience among congressional representatives and sectional ideologues.

When Anglo Americans began arriving in New Mexico during the early nineteenth century, many feared that ethnic and racial hybridization would “in time seriously affect the social and domestic relations of the Territory.”⁵⁴ According to William W. H. Davis, a U.S. territorial official, New Mexico’s mid-nineteenth-century population comprised “every shade of color, from the nut-brown, to the pure Castilian, who is light and fair as the sons and daughters of the Anglo-Saxon race,” with the majority of individuals being only one-quarter to one-eighth Spanish.⁵⁵ Another visitor to the province, Santa Fe trader Josiah Gregg, believed that Indian captives who intermarried with their masters became “often undistinguishable from many of the already dark-hued natives.”⁵⁶ Postulations about shared blood between Moors and Hispanos were also common among Anglo American observers in the mid-nineteenth century. Davis, typifying the overly simplistic outsider view of New Mexicans, wrote in the 1850s, “The Spaniard, the Moor, and the aboriginal were united and made a new race, the Mexicans.” He called these people “dark and swarthy in appearance” and lamented, “There is no present hope of the people improving in color.”⁵⁷ Along these same lines, Gregg wrote, “Darkness has resulted partly from their original Moorish blood, but more from intermarriages with the aborigines.”⁵⁸ Some newcomers clearly viewed the majority of New Mexican people with derision and contempt, and both Davis’s and Gregg’s accounts published for American audiences influenced popular opinion in the East, especially politicians who cited and even read aloud from these books in speeches before Congress.

Sgt. Charles Francis Clarke of Company F, First U.S. Dragoons, reiterated the ethnic hybridity that characterized many Southwesterners. In 1852 he explained to his father in England that most New Mexicans “are a mixture between the

Spaniards & Indians & possess all the vices & but few of the virtues of both races.”⁵⁹ In a similar vein, Davis noted that “the intermixture of the peasantry and the native tribes of Indians is yet carried on” and cited captive slavery as the primary reason for such conditions. With condescension, he claimed, “The people obtain possession of their children by purchase or otherwise, whom they rear in their families as servants, and who perform a lifetime servitude to hard task masters and mistresses.” As young captives grew older, Davis wrote, they often married into “the lower class of Mexicans, and thus a new stream of dark blood is constantly added to the current.” Owing to this cultural phenomenon, he surmised, “there exists an amalgamation in color that is found in no quarter of the world except in the Spanish portions of the American continent.”⁶⁰

These observations conformed to nineteenth-century white Americans’ habit of marginalizing and deriding people of color, tarring them as inferior people unworthy of political participation in the national democracy.⁶¹ At the beginning of the Civil War, Union volunteer John Ayers observed of New Mexico that “the lower classes were all peons to the higher” and believed that most residents, regardless of social status, came from a multiracial background of Spanish and Indian ancestry.⁶² Supt. of Indian Affairs Felipe Delgado explained in 1865 that intermarriage between Euroamericans and Indians had been occurring for more than a century and a half, but he did not believe the effects to be negative. Once Indian slaves married into the family of their captors, Delgado wrote, they were treated “as their adopted children” and sometimes received assistance in paying for the wedding. Portraying intermarriages as voluntary, Delgado attributed the decision to wed as being incumbent upon the captive.⁶³ Many interethnic unions, however, were sanctified only as a matter of convenience after Indian women realized that assimilation, while altering or altogether eliminating their Native cultural ties, might provide some measure of relief from the rigors and uncertainty of captivity and dependency.

The holding of servants, whether Indians in captivity or Hispanos in debt bondage, represented a form of cultural materialism, for it demonstrated the economic and ethnic superiority of New Mexico’s upper class in a publicly visible manner.⁶⁴ “Generally they are in the employ of wealthy persons owning the lands, and the peons live upon the lands and cultivate them as serfs,” explained Wisconsin senator James R. Doolittle during a congressional debate over debt peonage in February 1867. His colleague, Democrat Charles Buckalew of Pennsylvania, immediately added that such servitude “degrades both the owner of the labor and the laborer himself.”⁶⁵ Describing the symbolic power of coercive labor, Kirby Benedict, a judge on New Mexico’s territorial Supreme Court, refuted the notion that the holding of servants degraded the owners: “The most wealthy and powerful families were flattered in their pride in displaying their retinues of

these dependents.”⁶⁶ In most cases, Anglo Americans held preconceptions about the New Mexican population based on ethnocentric and nativist prejudices, going so far as to attribute the existence of involuntary servitude to an “ignorant, degraded, demoralized, and priest-ridden” society instead of acknowledging its roots in the deep history of captivity and peonage in colonial Spain.⁶⁷

Back in 1836, Mississippi senator Robert Walker had claimed that only one in seven Mexicans could be considered “of the white race” owing to widespread miscegenation; the other six out of seven, he said, were “Africans, and Indians, Mettizoes [*sic*], Mulattoes, and Zamboes, speaking twenty different languages, and constituting the most poisonous compound that could be amalgamated.”⁶⁸ Brig. Gen. James H. Carleton, who in 1851 had transported two black slaves into New Mexico, criticized the captive trade because, as he related it, Indian servants “bear children from illicit intercourse” with their Hispano masters. “The offspring of this intercourse are considered as peons,” the army officer concluded with clear racist repulsion.⁶⁹ These statements betrayed a certain amount of hypocrisy. At the time, chattel slavery flourished in the American South, where white masters had sexual relationships with their slaves, yet many politicians either neglected or refused to draw this parallel between the two geographic regions and their coercive labor systems. When observers did raise the issue of interracial sex between southern whites and black slaves, they risked violent reactions. In 1856 Massachusetts abolitionist senator Charles Sumner delivered a fiery speech on that very topic. Enraged by the allusions to sex between masters and slaves, South Carolina representative Preston Brooks beat Sumner so severely that he was left half-dead on the floor of the Capitol Building in Washington, D.C.

A sense of American exceptionalism and superiority undergirded these overarching social and ethnic hierarchies. Territorial governor David Meriwether addressed the ambiguous issue of New Mexico’s social hierarchy, constructed on racial categories, in his inaugural address of 1853. “I would have it distinctly understood,” he proclaimed, that as long as he occupied the Palace of the Governors, there would be no official distinction made between class or race. “The elevated and the lowly, the rich and the poor, the native-born and the immigrant,” Meriwether declared, “are all alike entitled to the protection of the laws.”⁷⁰ Despite the governor’s efforts, however, a deep chasm divided the various ethnicities and social classes of New Mexico. Race, steeped in the long history of involuntary servitude, was the root of the divisions.

When questions arose surrounding the admission of New Mexico into the Union as a state following the U.S.-Mexico War, eastern politicians and newspapermen deployed bigoted racist stereotypes, deliberately casting New Mexicans as a degraded, heterogeneous people emanating from centuries of illicit sexual

liaisons between Spaniards, Africans, and Indians. According to one New York editorialist, New Mexico was home to a “mongrel population” of “semi-barbarous, half Indian, half Mexican tribes,” who could not be trusted to act as loyal American citizens if granted statehood.⁷¹ “The population of New Mexico is in the main ignorant, superstitious, and degraded,” another New Yorker ranted, proclaiming them to be intellectually inferior and “morally about on a par with the inhabitants of our Fourth or Sixth Ward.”⁷² The *Daily Albany (N.Y.) Argus* drew a direct correlation between “peon slavery,” racial impurities, and participatory democracy when its journalists condemned the nature of regional servitude, concluding that “we are unconditionally opposed to the admission of New Mexico as a State with her present population.”⁷³ The strategic rhetorical demotion of New Mexico’s ethnic groups, oftentimes to a position below that of free African Americans, helped to ingrain an enduring derogatory perception of southwestern culture and people as benighted, vicious, and degraded as time wore on.⁷⁴

Although public opinion in the nineteenth-century United States typically disfavored New Mexico and its inhabitants, the federal government did occasionally take actions that uplifted some of the territory’s most destitute people. In 1848 when American diplomats negotiated the Treaty of Guadalupe Hidalgo with Mexico, they included two important provisions with regard to Nuevomexicanos. Article 8 allowed persons living in New Mexico to become U.S. citizens simply by virtue of remaining in their place of residence, although their participation in national democratic politics was severely limited when Congress elected to admit New Mexico as a territory rather than a state. Article 11 pertained to the multilateral Indian slave trade, making the United States responsible for the repatriation of Mexican captives held by Native tribes living on its side of the international border. Government agents generally failed in their attempts to enforce this particular mandate, but its inclusion in the treaty nonetheless symbolized an early recognition on the part of U.S. officials that alternative forms of slavery existed in the Southwest and foreshadowed more meaningful antislavery legislation in coming years.⁷⁵

During Reconstruction federal leaders twice addressed New Mexico’s entrenched systems of slavery, first through an executive order forbidding Indian captivity and then with an expansion of the emancipatory Thirteenth Amendment’s provisions to include debt peonage specifically.⁷⁶ While he awaited ratification of the Thirteenth Amendment, Pres. Andrew Johnson took definitive action of his own by issuing a mandate on 9 June 1865 that explicitly prohibited the enslavement of Indians in the United States.⁷⁷ His Executive Office personnel immediately distributed to agents in New Mexico letters directing them to comply with the new order, although enforcement proved more difficult than

some anticipated. Less than two years later, Congress took action on peonage, passing a law that abolished debtor servitude and expanded manumission and free labor in the post-Civil War United States.⁷⁸ These abolition measures went a long way toward eliminating New Mexico's alternative systems of slavery, but they did so strictly within the framework of universal emancipation, with little effort made to propagate racial equality or guarantee political inclusion.

Territorial officials, nearly all appointed from the eastern United States, understood all too well that compliance with federal antislavery decrees would be critical for New Mexico's political advancement in the Union, and some of them hoped that the elimination of captivity and peonage would pave the way for statehood despite ongoing Anglo American racism toward Hispanos. Beginning with Henry Connelly during the Civil War, a succession of four governors pleaded with their constituents to stand behind the eradication of captivity and peonage. Any hint of noncompliance, they argued, would further undermine the cause of statehood during an era when abolitionists controlled both houses of Congress. William F. M. Arny, acting as governor during Connelly's absence in 1862, pleaded with the Territorial Legislature to eliminate laws sanctioning captivity and peonage in recognition of the fact that the Union was already fighting a war that was becoming a war to destroy Southern slavery. After the Civil War, with Radical Republicans holding power in the national capital, the territorial legislature finally acknowledged the importance of the slavery issue by approving an act on 26 January 1867 that forbade "all involuntary servitude" within the confines of New Mexico's borders.⁷⁹ Govs. Robert B. Mitchell and Herman Heath both issued proclamations urging strict compliance with the president's Executive Order of 1865 as well as with the congressional Peon Law of 2 March 1867.⁸⁰ These presidential and Congressional mandates, coupled with local enforcement initiatives, expanded the parameters of the Thirteenth Amendment by adding captivity and peonage to the nation's legal definition of slavery. Although these emancipatory actions helped to lift the territory's reputation in the East, the many generations of captivity and servitude had wrought nearly insurmountable political damage for New Mexico and its people and handicapped the territory's bid for statehood for another forty-five years.

As evidenced in Congressional debates over issues of mixed-blood heritage and involuntary servitude during the antebellum period, the multilateral institution of Indian slavery—and the ethnically amalgamated society of dependency that resulted from it—undermined New Mexico's political advancement in the Union. When American policymakers banned captivity and peonage after the Civil War, they did so primarily to acknowledge that involuntary labor could no longer be tolerated in a democratic nation that had just fought a long and bloody war over the idea of slavery. The statutory emancipation of

New Mexican servants had much more to do with Radical Republican abolitionism and the mid-century shift toward free labor than with any newfound concern for the political status of New Mexico's mixed-blood populace. The Executive Order of 1865 banning Indian slavery and the Peon Law of 1867 both represented attempts at national uniformity on the issue of manumission and freedom. However, they did little to elevate Hispanics in the jaundiced racial perspectives of the Anglo American leaders who controlled New Mexico's political fate. Evidence of this lies in the fact that New Mexico would not obtain statehood until 1912, almost fifty years after Civil War-era legislation eliminated the systems of bondage that helped to create and define the region's racially and culturally diverse population.

Notes

1. Loomis M. Ganaway, *New Mexico and the Sectional Controversy, 1846–1861* (Albuquerque: University of New Mexico Press, 1944); Howard R. Lamar, *The Far Southwest, 1846–1912: A Territorial History* (New Haven, Conn.: Yale University Press, 1966); Robert W. Larson, *New Mexico's Quest for Statehood, 1846–1912* (Albuquerque: University of New Mexico Press, 1968); Mark J. Stegmaier, *Texas, New Mexico, and the Compromise of 1850: Boundary Dispute and Sectional Crisis* (Kent, Ohio: Kent State University Press, 1996); and David V. Holtby, *Forty-Seventh Star: New Mexico's Struggle for Statehood* (Norman: University of Oklahoma Press, 2012).

2. Alicia V. Tjarks, "Demographic, Ethnic and Occupational Structure of New Mexico, 1790," *The Americas* 35 (July 1978): 75. On the *casta* system as reflected in New Mexico censuses, see Estévan Rael-Galvéz, "Identifying Captivity and Capturing Identity: Narratives of American Indian Slavery, Colorado and New Mexico, 1776–1934" (PhD diss., University of Michigan, 2002), 65–74.

3. Jacobo Ugarte y Loyola, bando issued in 1790, fr. 001, microfilm, Loose Documents, Mission, 1790–1817, Microfilm no. 53, Archives of the Archdiocese of Santa Fe, Santa Fe, N.Mex. [hereafter AASF].

4. The seminal book on Indian captivity and slavery in New Mexico is James F. Brooks, *Captives and Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002).

5. Fabiola Cabeza de Baca, *We Fed Them Cactus* (Albuquerque: University of New Mexico Press, 1954), x. Emphasis in original.

6. On New Mexican women inheriting servants, see Marcelina Otero y Chavez v. Jose Castillo, 1854–1855, Records of the District Court of Valencia County, Indian Peonage File, New Mexico State Records Center and Archives, Santa Fe [hereafter NMSRCA]; Statement of Chief Justice Kirby Benedict, 4 July 1865, in U.S. Senate, *Condition of the Indian Tribes*, 39th Cong., 2d sess., Senate Report No. 156 (Washington, D.C.: Government Printing Office, 1867), 326; and Ralph Emerson Twitchell, *The Spanish Archives of New Mexico*, vol. 1 (Cedar Rapids, Iowa: The Torch Press, 1914), document no. 344. See also Brooks, *Captives and Cousins*, 238, 402; and Amy M. Porter, *Their Lives, Their Wills: Women in the Borderlands, 1750–1846* (Lubbock: Texas Tech University Press, 2015), 59–65.

7. See Brooks, *Captives and Cousins*, 237–38. See also Last Will and Testament of Don Ignacio de Roybal, 1755, item 551, roll 3, Microfilm Translations, collection 1972-007, Spanish Archives of New Mexico I [hereafter SANM I], NMSRCA.

8. John M. Nieto-Phillips, *The Language of Blood: The Making of Spanish-American Identity in New Mexico, 1880s–1930s* (Albuquerque: University of New Mexico Press, 2004), 17–18; and Adrian Bustamante, “‘The Matter Was Never Resolved’: The ‘Casta’ System in Colonial New Mexico, 1693–1823,” *New Mexico Historical Review* 66 (April 1991): 162. On limpieza de sangre, see María Elena Martínez, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Stanford, Calif.: Stanford University Press, 2008); Frances Leon Swadesh, *Los Primeros Pobladores: Hispanic Americans of the Ute Frontier* (Notre Dame, Ind.: University of Notre Dame Press, 1974), esp. 152–54, 159–60; and Anthony Mora, *Border Dilemmas: Racial and National Uncertainties in New Mexico, 1848–1912* (Durham, N.C.: Duke University Press, 2011), 33–34.

9. Fray Francisco Atanasio Domínguez, *The Missions of New Mexico, 1776: A Description by Fray Francisco Atanasio Domínguez, with Other Contemporary Documents*, ed. and trans. Fray Angélico Chávez and Eleanor B. Adams (Albuquerque: University of New Mexico Press, 1956), 99.

10. On New Mexico’s racial hierarchies, see Bustamante, “‘The Matter Was Never Resolved,’” 151–53; Charles Montgomery, *The Spanish Redemption: Heritage, Power, and Loss on New Mexico’s Upper Rio Grande* (Berkeley: University of California Press, 2002), 27–28; Nieto-Phillips, *The Language of Blood*, 30–33; Ross Frank, *From Settler to Citizen: New Mexican Economic Development and the Creation of Vecino Society, 1750–1820* (Berkeley: University of California Press, 2000), 180–81; Oakah L. Jones Jr., *Los Paisanos: Spanish Settlers on the Northern Frontier of New Spain* (Norman: University of Oklahoma Press, 1979), 131–33; Ross Frank, “‘They Conceal a Malice Most Refined’: Controlling Social and Ethnic Mobility in Late Colonial New Mexico,” in *Choice, Persuasion, and Coercion: Social Control in Spain’s North American Frontiers*, ed. Jesús F. de la Teja and Ross Frank (Albuquerque: University of New Mexico Press, 2005), 83–92; Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans* (Austin: University of Texas Press, 2001), 81–96; and Robert Archibald, “Assimilation and Acculturation in Colonial New Mexico,” *New Mexico Historical Review* 53 (July 1978): 213–14. On mestizos, see Claudio Esteva-Fabregat, *Mestizaje in Ibero-America*, trans. John Wheat (Tucson: University of Arizona Press, 1995), 7–83; and Gary B. Nash, “The Hidden History of Mestizo America,” *The Journal of American History* 82 (December 1995): 951. For sexual exploitation of female captives, see James F. Brooks, “‘This Evil Extends Especially . . . to the Feminine Sex’: Negotiating Captivity in the New Mexico Borderlands,” *Feminist Studies* 22 (summer 1996): 285–86.

11. Ramón A. Gutiérrez, *When Jesus Came, the Corn Mothers Went Away: Marriage, Sexuality and Power in New Mexico, 1500–1846* (Stanford, Calif.: Stanford University Press, 1991), 272; and Rael-Galvéz, “Identifying Captivity and Capturing Identity,” 18. Of the Indian slaves baptized in New Mexico, two-thirds (sixty-six percent) were women, while only thirty-four percent were men. This indicates that baptism occurred more often among women in order that they might become marriageable for Spanish and Mexican men. Male slaves were baptized less often because they lacked this same potential for marriage and assimilation. Gutiérrez, *When Jesus Came*, 296.

12. Brooks, *Captives and Cousins*, 125.

13. David J. Weber, *Bárbaros: Spaniards and Their Savages in the Age of Enlightenment* (New Haven, Conn.: Yale University Press, 2005), 240. On genízaros generally, see Brooks, *Captives and Cousins*, 123–38, 374; Montgomery, *The Spanish Redemption*, 27–28; Swadesh, *Los Primeros Pobladores*, 39–48; Lesley Poling-Kempes, *Valley of Shining Stone: The Story of Abiquiú* (Tucson: University of Arizona Press, 1997), 38–42; Malcolm Ebright and Rick Hendricks, *The Witches of Abiquiú: The Governor, the Priest, the Genízaro Indians, and the Devil* (Albuquerque: University of New Mexico Press, 2006), 4, 30–32.

14. See Brooks, *Captives and Cousins*, 129.

15. An enumeration of genízaros at Abiquiú in the mid-eighteenth century indicated the diverse range of indigenous lineages among the community's inhabitants. The survey ethnically identified twenty-five genízaros as follows: six Pawnee; six Jumano; four Apache; three Kiowa; two Aa; one Tano; one Ute; and two remained unspecified. Ebright and Hendricks, *The Witches of Abiquiú*, 29.

16. Concha to Fernando Chacón, 28 June 1794, in Donald E. Worcester, ed. and trans., "Notes and Documents: Advice on Governing New Mexico, 1794," *New Mexico Historical Review* 24 (July 1949): 240–41. See also Steven M. Horvath Jr., "The Social and Political Organization of the Genízaro of Plaza de Nuestra Señora de los Dolores de Belen, N.M., 1740–1812" (PhD diss., Brown University, 1979), 157–59; and Archibald, "Assimilation and Acculturation in Colonial New Mexico," 213. On Manuel Mestas, see Ned Blackhawk, *Violence over the Land: Indians and Empires in the Early American West* (Cambridge, Mass.: Harvard University Press, 2005), 100, 322n41.

17. R. Brian Ferguson and Neil L. Whitehead, "The Violent Edge of Empire," in *War in the Tribal Zone: Expanding States and Indigenous Warfare*, ed. R. Brian Ferguson and Neil L. Whitehead (Santa Fe, N.Mex.: School for American Research Press, 1992), 21–23. See also Rael-Galvéz, "Identifying Captivity and Capturing Identity," 35–39.

18. "Genízaro Petition to Settle Sandía," 21 April 1733, item no. 1208, r. 4, Microfilm Translations, collection 1972-007, SANM I, NMSRCA.

19. Decree of Governor Mendiñeta, 31 March 1769, item no. 656, r. 4, Microfilm Translations, SANM I, NMSRCA.

20. *Father Juan Agustín de Morfi's Account of Disorders in New Mexico, 1778*, ed. and trans. Marc Simmons (Isleta Pueblo: Historical Society of New Mexico, 1977), 34–35. For the genízaro land grant at Abiquiú, issued by Gov. Tomás Vélez Cachupín in 1754, see Ebright and Hendricks, *The Witches of Abiquiú*, 89–105, 269–72. On genízaro land grants generally, see Malcolm Ebright, "Advocates for the Oppressed: Indians, Genízaros, and their Spanish Advocates in New Mexico, 1700–1786," *New Mexico Historical Review* 71 (October 1996): 315–17.

21. Morfi, *Account of Disorders in New Mexico*, 35; and Richard L. Nostrand, *El Cerro, New Mexico: Eight Generations in a Spanish Village* (Norman: University of Oklahoma Press, 2003), 18–30.

22. Weber, *Bárbaros*, 240–41; Moises Gonzales, "Genízaro Settlements: Legacy of the Past, Eyes on the Future," unpublished conference paper presented at Taos, New Mexico, 1999, esp. 2–3, 6. For additional analyses of genízaro society in colonial New Mexico, see James F. Brooks, "We Betray Our Own Nation: Indian Slavery and Multi-Ethnic Communities in the Southwest Borderlands," in *Indian Slavery in Colonial America*, ed. Alan Galloway (Lincoln: University of Nebraska Press, 2009), 319–51; Frank, *From Settler to Citizen*, 14–15; Russell M. Magnaghi, "The Genízaro Experiment in Spanish New

Mexico,” in *Spain and the Plains: Myths and Realities of Spanish Exploration and Settlement on the Great Plains*, ed. Ralph H. Vigil, Frances W. Kaye, and John R. Wunder (Niwot: University Press of Colorado, 1994), 114–30, esp. 117–23; Thomas D. Hall, *Social Change in the Southwest, 1350–1880* (Lawrence: University Press of Kansas, 1989), 97–103; Gutiérrez, *When Jesus Came*, 188; Sondra Jones, *The Trial of Don Pedro León Luján: The Attack against Indian Slavery and Mexican Traders in Utah* (Salt Lake City: University of Utah Press, 2000), 38–39; and Ebright and Hendricks, *The Witches of Abiquiú*, 27–47.

23. Richard Eighme Ahlborn, “The Will of a New Mexico Woman in 1762,” *New Mexico Historical Review* 65 (July 1990): 326.

24. Jemez Baptisms 1720–1829, fr. 651, Microfilm, no. 5, AASF.

25. Gilberto Benito Córdova, “The Genizaro,” unpublished conference paper presented at Taos, New Mexico, 1999, 8. For a genealogical analysis of Spanish and mixed-blood families in eighteenth-century New Mexico, see Fray Angélico Chávez, *Origins of New Mexico Families in the Spanish Colonial Period* (Santa Fe: Historical Society of New Mexico, 1954).

26. “Genízaro Petition to Settle Sandía,” 21 April 1733, item 1208, r. 4, SANM I, NMSRCA. A census roll presented to the governor identified the tribal origin of these genizaros: Jumano, 14; Apache, 13; Kiowa, 12; Aa, 10; Panana, 7; Pawnee, 6; Tano, 6; Ute, 1; Unidentified, 8. *Ibid.*

27. Report of Manuel Gallegos, 12 October 1763, fr. 524, reel 9, SANM II, NMSRCA; Joaquín Rodríguez to Tomás Vélez Cachupín, 14 April 1766, fr. 949, reel 9, SANM II, NMSRCA. On the legal empowerment of genizaros, see James F. Brooks, “‘Lest We Go in Search of Relief to Our Lands and Our Nation’: Customary Justice and Colonial Law in the New Mexico Borderlands, 1680–1821,” in *The Many Legalities of Early America*, ed. Christopher L. Tomlins and Bruce H. Mann (Chapel Hill: University of North Carolina Press, 2001), 150–80.

28. Domínguez, *The Missions of New Mexico*, 42, 126, 208. See also “Declaration of Fray Miguel de Menchero,” 10 May 1744, in Charles W. Hackett, ed., *Historical Documents Relating to New Mexico, Nueva Vizcaya, and Approaches Thereto*, vol. 3 (Washington, D.C.: Government Printing Office, 1937), 401–402. In 1760 Bishop Tamarón toured New Mexico and recorded populations at each village he visited. Santa Fe consisted of “379 families of citizens of Spanish and mixed blood, with 1285 persons” but he did not refer to these mixed blood inhabitants specifically as genizaros. See Eleanor B. Adams, ed., “Bishop Tamarón’s Visitation of New Mexico, 1760,” *New Mexico Historical Review* 28 (July 1953): 205. In 1765, a census of “the kingdom of New Mexico” counted a total of 191 genízaro families containing 677 souls. Donald C. Cutter, trans., “An Anonymous Statistical Report on New Mexico in 1765,” *New Mexico Historical Review* 50 (October 1975): 351. For a statistical comparison of Spanish and genízaro populations at Abiquiú, see Swadesh, *Los Primeros Pobladores*, 46. On genizaros in the census rolls generally, see Brooks, “‘Lest We Go in Search of Relief to Our Lands and Our Nation,’” 163–64. For a detailed study of eighteenth-century Abiquiú that emphasizes its genízaro community, see Gilberto Benito Córdova, “Missionization and Hispanicization of Santo Tomás Apostol de Abiquiú, 1750–1770” (PhD diss., University of New Mexico, 1979).

29. Smaller genízaro communities stood south of Albuquerque at Belén, Cerro, Valencia, and Tomé. Spanish friars began referring to these settlements as early as the 1740s. See “Declaration of Fray Miguel de Menchero,” 10 May 1744, in Hackett, ed.,

Historical Documents, 3:395; Nicolás de Lafora, "Jurisdiction of New Mexico," in *The Frontiers of New Spain: Nicolás de Lafora's Description, 1766–1768*, ed. Lawrence Kinnaird (Berkeley, Calif.: The Quivira Society, 1958), esp. 83, 89; and Morfi, *Account of Disorders in New Mexico*, 34–35. For a detailed account of the genízaro community at Belen, see Horvath Jr., "The Social and Political Organization of the Genízaro."

30. Domínguez, *The Missions of New Mexico*, 119.

31. Brooks, "We Betray Our Own Nation," 326. On the origins of debt peonage, see William S. Kiser, "A Charming Name for a Species of Slavery': Political Debates on Debt Peonage in the Southwest, 1840s–1860s," *Western Historical Quarterly* 45 (summer 2014): 171; and William S. Kiser, *Borderlands of Slavery: The Struggle over Captivity and Peonage in the American Southwest* (Philadelphia: University of Pennsylvania Press, 2017), 11–14.

32. For hostilities at Anton Chico, see James H. Carleton to Isaiah N. Moore, 10 July 1854, r. 3, (Washington, D.C.: National Archives and Record Administration, 1982) *Registers of Letters Received and Letters Received by Headquarters, Department of New Mexico 1854–1865*, Microcopy 1120, National Archives Microfilm Publications, Records of the U.S. Army Continental Commands, Record Group 393, National Archives and Record Administration, Washington, D.C. [hereafter LR, DNMex., r. 3, M1120, RG393, NARA]; John W. Whitfield to David Meriwether, 29 September 1854, roll 2, (Washington, D.C.: National Archives and Record Administration, 1954) *Records of the New Mexico Superintendency of Indian Affairs, 1814–1880*, Textual Records 21, National Archives Microfilm Publications, Records of the Bureau of Indian Affairs, Record Group 75, National Archives and Record Administration, Washington, D.C. [hereafter LR, NMSupt., r. 2, T21, RG75, NARA]; T. H. Holmes to William A. Nichols, 13 March 1857, LR, DNM, r. 6, M1120, RG393, NARA; and Cyrus H. DeForrest to Superintendent of Indian Affairs, 23 January 1867, LR, NMSupt., r. 2, T21, RG75, NARA. For descriptions of raids for captives at San Miguel del Vado and neighboring communities, see Petition of San Miguel County Residents to acting Governor William S. Messervy, 12 August 1854, LR, DNMex., r. 3, M1120, RG393, NARA; John Garland to William S. Messervy, 10 July 1854, LR, NMSupt., r. 2, T21, RG75, NARA. Navajo oral histories acknowledge that warriors sometimes snuck away from Bosque Redondo to raid Mexicans and Comanches. See Ruth Roessel, ed., *Navajo Stories of the Long Walk Period* (Chinle, Ariz.: Navajo Community College Press, 1973), 205.

33. Orren Chapman to Edmund B. Alexander, 31 March 1851, r. 3, (Washington, D.C.: National Archives and Records Administration, 1982) *Registers of Letters Received and Letters Received by Headquarters, 9th Military Department 1848–1853*, Microcopy 1102, National Archives Microfilm Publications, Records of the U.S. Army Continental Commands, Record Group 393, National Archives and Records Administration, Washington, D.C. [hereafter LR, 9MD, r. 3, M1102, RG393, NARA].

34. Levi Keithly to Supt. Michael Steck, 20 December 1864, Michael Steck Papers, Series 2, r. 4, Center for Southwest Research, University Library, University of New Mexico, Albuquerque, N.Mex. [hereafter CSWR, UNM].

35. See Swadesh, *Los Primeros Pobladores*, 41–42, 45–46; and Bustamante, "The Matter was Never Resolved," 157. On transculturation in New Mexico communities, see Enrique R. Lamadrid, *Hermanitos Comanchitos: Indo-Hispano Rituals of Captivity and Redemption* (Albuquerque: University of New Mexico Press, 2003), 12–14, 135.

36. Gómez, *Manifest Destinies*, 56–57; and Rael-Galvéz, "Identifying Captivity and Capturing Identity," 88–89.

37. Nieto-Phillips, *The Language of Blood*, 34, 37–38.

38. Nostrand, *The Hispano Homeland*, 14–19; and Bustamante, “‘The Matter Was Never Resolved,’” 162–63. An analysis of racial terminology is found in Mora, *Border Dilemmas*, esp. 19, 33–46. See also Fray Angélico Chávez, “Genízaros,” in Alfonso Ortiz, ed., *Southwest*, vol. 9 of *Handbook of North American Indians*, ed. William C. Sturtevant (Washington, D.C.: Smithsonian Institution, 1979), 198–200; and Ebright and Hendricks, *The Witches of Abiquiú*, 46–47. Genízaro communities continue to celebrate ritual observances of their ancestry and heritage, and in 2007 the New Mexico legislature officially recognized them as a distinct tribe. For recent work on New Mexico’s genízaro communities that highlights cultural continuity, see Lamadrid, *Hermanitos Comanchitos*, 135–39, 145; Doris S. Avery, “Into the Den of Evils: The Genízaros of Colonial New Mexico” (M.A. thesis, University of Montana, 2008); Ramon A. Gutiérrez, “Indian Slavery and the Birth of Genízaros,” in *White Water Shell Place: An Anthology of Native Reflections on the Founding of Santa Fe, New Mexico*, ed. F. Richard Sanchez (Santa Fe, N.Mex.: Sunstone Press, 2010): 39–56; and Malcolm Ebright, *Advocates for the Oppressed: Hispanos, Indians, Genízaros, and Their Land in New Mexico* (Albuquerque: University of New Mexico Press, 2014). For the legislative acts, see House Memorial 40, State of New Mexico, 48th Legislature, First Session, 2007; and Senate Memorial 59, State of New Mexico, 48th Legislature, First Session, 2007.

39. David J. Weber, *The Mexican Frontier, 1821–1846: The American Southwest Under Mexico* (Albuquerque: University of New Mexico Press, 1982), 214–15.

40. On Mexican slave laws and abolition, see Andrew J. Torget, *Seeds of Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800–1850* (Chapel Hill: University of North Carolina Press, 2015), esp. 77–80, 142–45, 150, 190.

41. On the Chimayó Rebellion, see Weber, *The Mexican Frontier*, 261–65; Janet Lecompte, *Rebellion in Río Arriba, 1837* (Albuquerque: University of New Mexico Press, 1985); and Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800–1850* (New York: Cambridge University Press, 2004), 171–96. On Gonzales, see Fray Angélico Chávez, “José Gonzales, Genízaro Governor,” *New Mexico Historical Review* 30 (July 1955): 190–94.

42. Weber, *The Mexican Frontier*, 212; and Kiser, *Borderlands of Slavery*, 13–14.

43. Speech of George P. Marsh, *Congressional Globe*, 30th Cong., 1st sess., 3 August 1848, pp. 1072–73, quotation on 1072.

44. Speech of John M. Berrien, *Congressional Globe*, 31st Cong., 1st sess., 12 February 1850, pp. 207–208, quotation on 207.

45. Speech of Jefferson Davis, *Congressional Globe*, 31st Cong., 1st sess., 13 February 1850, p. 151. For one northern senator’s refutation of the Davis argument, see Speech of James Cooper, in *ibid.*, 1 July 1850, pp. 1011–12.

46. Report of Assistant Surgeon John F. Hammond in 1852, U.S. Senate, *Report on the Sickness and Mortality in the Army of the United States* by Richard H. Coolidge, 34th Cong., 1st sess., Sen. Ex. Doc. 96, ser. no. 825, p. 423.

47. For the impact of the Comanche slave trade on the evolution of Mexican ethnicity, see Pekka Hämäläinen, *The Comanche Empire* (New Haven, Conn.: Yale University Press, 2008), 359.

48. Speech of Alfred Burnham, *Congressional Globe*, 36th Cong., 2nd sess., 16 February 1861, p. 972. Mark J. Stegmaier discusses the contentious debate in “New Mexico’s

Delegate in the Secession Winter Congress,” part 1, “Two Newspaper Accounts of Miguel Otero in 1861,” and part 2, “Miguel A. Otero Responds to Horace Greeley and Greeley Takes Revenge,” *New Mexico Historical Review* 86 (summer/fall 2011): 385–392; 513–523.

49. Speech of Thaddeus Stevens, *Congressional Globe*, 36th Cong., 2nd sess., 29 January 1861, p. 623. For anti-Mexican sentiment in the United States prior to the U.S.-Mexican War, see Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven, Conn.: Yale University Press, 2008), 245–47.

50. “The Disunion Troubles,” *New York Times*, 27 December 1860.

51. Laura E. Gómez, “Off White in an Age of White Supremacy: Mexican Elites and the Rights of Indians and Blacks in Nineteenth Century New Mexico,” in *Colored Men and Hombres Aquí: Hernandez v. Texas and the Emergence of Mexican-American Lawyering*, ed. Michael A. Olivas (Houston, Tex.: Arte Público Press, 2006), 8.

52. Speech of John C. Calhoun, *Congressional Globe*, 30th Cong., 1st sess., 4 January 1848, p. 98.

53. “Greely’s [sic] Article on New Mexico—Reply by Hon. M. A. Otero,” *Mesilla (N.Mex.) Times*, 2 March 1861. For Otero’s letter and the publications of Horace Greeley that incited the incident, see Stegmaier, “New Mexico’s Delegate in the Secession Winter Congress,” parts 1 and 2.

54. Quoted by Alvin Sunseri, *Seeds of Discord: New Mexico in the Aftermath of the American Conquest, 1846–1861* (Chicago: Nelson-Hall, 1979), 117. See also Josiah Gregg, *Commerce of the Prairies: or the Journal of a Santa Fe Trader, during Eight Expeditions across the Great Western Prairies, and a Residence of nearly Nine Years in Northern Mexico* (New York: H. G. Langley, 1844), 142.

55. William W. H. Davis, *El Gringo, or, New Mexico and Her People* (1857; repr., Santa Fe, N.Mex.: Rydal Press, 1938), 84.

56. Gregg, *Commerce of the Prairies*, 217–18.

57. Davis, *El Gringo*, 84.

58. Gregg, *Commerce of the Prairies*, 153. See also John T. Hughes, *Doniphan’s Expedition: Containing an Account of the Conquest of New Mexico; General Kearny’s Overland Expedition to California; Doniphan’s Campaign against the Navajos; His Unparalleled March upon Chihuahua and Durango; and the Operations of General Price at Santa Fe* (Cincinnati, Ohio: Joseph A. and Uriah P. James, 1848), 91–93; and James Madison Cutts, *The Conquest of California and New Mexico, by the Forces of the United States, in the Years 1846 & 1847* (Philadelphia: Carey and Hart, 1847), 14.

59. Clarke to father, 29 September 1852, folder 7, box 1, Charles Francis Clarke Papers, 1847–1914, MSS 88 BC, CSWR, UNM.

60. Davis, *El Gringo*, 84–85.

61. See Jack D. Forbes, *African and Native Americans: The Language of Race and the Evolution of Red-Black Peoples* (Urbana: University of Illinois Press, 1993), 93–100.

62. John Ayers, “A Soldier’s Experience in New Mexico,” *New Mexico Historical Review* 24 (October 1949): 260–61.

63. Delgado to William P. Dole, 16 June 1865, r. 552, (Washington, D.C.: National Archives and Records Administration, 1966) *Letters Received by the Office of Indian Affairs, 1824–1881*, Microcopy 234, National Archives Microfilm Publications, Records of the Bureau of Indian Affairs, RG 75, National Archives and Record Administration, Washington, D.C.

64. Gómez, "Off-White," 5.
65. Speeches by Doolittle and Buckalew, *Congressional Globe*, 39th Cong., 2nd sess., 19 February 1867, p. 1572.
66. *Mariana Jaramillo v. Jose de la Cruz Romero*, January 1857, in Charles H. Gilderleeve, *Reports of Cases Argued and Determined in the Supreme Court of the Territory of New Mexico from January term 1852 to January term 1879*, vol. 1 (San Francisco, Calif.: A. L. Bancroft, 1881), 194.
67. "New-Mexico," *New York Daily Tribune*, 31 December 1860.
68. Speech by Robert Walker, *Congressional Globe*, 24th Cong., 1st sess., 9 May 1836, p. 461.
69. Statement of Carleton, 3 July 1865, *Condition of the Indian Tribes*, 39th Cong., 2d sess., Sen. No. 156 (Washington, D.C.: Government Printing Office, 1867), 325.
70. David Meriwether, *My Life in the Mountains and on the Plains*, ed. Robert A. Griffen (Norman: University of Oklahoma Press, 1965), 157.
71. "A Few Questions about New Mexico," *New York Daily Tribune*, 23 January 1861.
72. "Shall We Give up New Mexico?" *New York Daily Tribune*, 25 February 1861.
73. "New Mexico—Slavery recognized in her Constitution," *Daily Albany (N.Y.) Argus*, 26 July 1850.
74. On Anglo American perceptions of New Mexican society as being unfit for citizenship and political representation, see Nieto-Phillips, *The Language of Blood*, 46–48, 51–59.
75. Hunter Miller, ed., *Treaties and Other International Acts of the United States of America*, vol. 5 (Washington, D.C.: Government Printing Office, 1931), 217–22. On the failure to enforce Article 11, see DeLay, *War of a Thousand Deserts*, esp. 294–303.
76. See Lawrence R. Murphy, "Reconstruction in New Mexico," *New Mexico Historical Review* 43 (April 1968): 99–115; Andrés Reséndez, *The Other Slavery: The Uncovered Story of Indian Enslavement in America* (New York: Houghton Mifflin Harcourt, 2016), 277–94, 309–13; and Kiser, *Borderlands of Slavery*, 142–69. For attempts at enforcing these laws, see Larry D. Ball, *The United States Marshals of New Mexico and Arizona Territories, 1846–1912* (Albuquerque: University of New Mexico Press, 1978), 51–52. For efforts to liberate peons and Indian servants in contemporaneous California, see Stacey L. Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013).
77. Executive Order of Andrew Johnson, 9 June 1865, NMSupt., r. 6, T21, RG75, NARA.
78. "An Act to abolish and forever prohibit the System of Peonage in the Territory of New Mexico and other Parts of the United States," *United States Statutes at Large*, 39th Cong., 2d sess., chap. 187, p. 546. For debates on the bill, see "Peonage in New Mexico," *Congressional Globe*, 39th Cong., 2d sess., 3 January 1867, pp. 239–41; "Abolition of Peonage," *Congressional Globe*, 39th cong., 2d sess., 19 February 1867, pp. 1571–72; and "Abolition of Peonage," *Congressional Globe*, 29th Cong., 2d sess., 2 March 1867, p. 1770.
79. "Act of January 26, 1867," *Laws of the Territory of New Mexico, Session of 1866–67* (Santa Fe, N.Mex: Manderfield and Tucker, 1867), 44.
80. Proclamation of Governor Henry Connelly, 4 May 1864, *1866 Annual Report of the Commissioner of Indian Affairs* (Washington, D.C.: Government Printing Office, 1867), 333; "An Act to Abolish and Forever Prohibit the System of Peonage in the Territory

of New Mexico and Other Parts of the United States,” *United States Statutes at Large*, 39th Cong., 2d sess., chap. 187, p. 546; *Executive Message of His Excellency William F. M. Army, Acting Governor of New Mexico, to the Legislative Assembly of the Territory, Delivered the 2d Day of December 1862* (Santa Fe, N.Mex.: Office of the Santa Fe Gazette, 1862), 11–14; Proclamation of Gov. Robert B. Mitchell, 14 April 1867, r. 3, (Washington, D.C.: National Archives and Records Administration, 1962) *State Department Territorial Papers, New Mexico, 1851–1872*, Textual Records 17, National Archives Microform Publications, General Records of the State Department, Record Group 59, National Archives and Records Administration, Washington, D.C.

