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NEW MEXICO HISTORICAL REVIEW

JULY 1966

RICHARD E. GREENLEAF
THE MEXICAN INQUISITION

THOMAS M. DAVIES, JR.
ASSESSMENTS DURING THE MEXICAN WAR

JANE C. SANCHEZ
"AGITATED, PERSONAL, AND UNSOUND"

RICHARD H. KESEL
THE RATON COAL FIELD

HISTORICAL SOCIETY NOTES

BOOK REVIEWS

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Academic Vice President and Chairman of the Department of History of the University of the Americas, Mexico City, RICHARD E. GREENLEAF continues to make time for serious archival research. His study of the Inquisition papers has resulted in a number of articles as well as *Zumárraga and the Mexican Inquisition, 1536-1543* published by the Academy of American Franciscan History in 1962.

The first winner of NMHR's Annual Award, THOMAS M. DAVIES, JR., will soon be on his way to Peru to study Indian legislation, as the recipient of a Doherty Fellowship.

A native of New Mexico, JANE CALVIN SANCHEZ cannot recall a time when she was not interested in the history of the state. She was brought up on a ranch near the ruins of the old pueblo of San Marcos, in the Cerrillos area, graduated from the University of New Mexico, and now lives in Albuquerque.

RICHARD H. KESEL's paper came to us from Lethem, British Guiana, where he is Director and Senior Research Assistant at the McGill University Savanna Research Station. He became interested in New Mexico history as an undergraduate at Eastern New Mexico University.

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MISERICORDIA · ET · JUSTITIA

THE MEXICAN INQUISITION AND THE ENLIGHTENMENT 1763-1805

RICHARD E. GREENLEAF

MANY SCHOLARS have called attention to the fact that the Holy Office of the Inquisition was a political instrument. What has not been examined in detail is the relationship that existed between heresy and treason during the three centuries of Spanish and Spanish colonial Inquisition history. The belief that heretics were traitors and traitors were heretics led to the conviction that dissenters of any kind were social revolutionaries trying to subvert the political and religious stability of the community. These tenets were not later developments in the history of the Spanish Inquisition; they were inherent in the rationale of the institution from the fifteenth century onward, and were apparent in the Holy Office's dealing with the Jews, Protestants, and other heretics during the sixteenth century. The use of the Inquisition by the later eighteenth-century Bourbon kings in Spain as an instrument of regalism was not a departure from tradition. Particularly in the Viceroyalty of New Spain during the late eighteenth century do the Inquisition trials show how the Crown sought to promote political and religious orthodoxy.[1]

THE AGE OF SCIENCE and the Age of Reason in seventeenth- and eighteenth-century Europe had powerful reverberations in the new world colonies of Spain. The attack on Scholasticism and the campaign against divine right kingship represented a joint political-religious venture all the more significant because the papacy was also a divine right institution. Regalist prelates came to dominate

the Church in Spain and Spanish America, and they were just as combative in their efforts to quell the new exponents of natural laws of politics and economics as were the Spanish monarchs. The environmentalism of Montesquieu and Rousseau was as much a challenge to Spanish rule in America as were the doctrines of empiricism and methodical doubt to the supremacy of the Roman Catholic faith and dogmas. During the period 1760 to 1805, the vicissitudes of Spanish-French politics and the shifting diplomatic and military alliances of the Spanish rulers in Europe complicated the problem of stemming the tide of rationalism in Mexico. The opening decade of the century had heralded the arrival of the French Bourbons on the Spanish throne, and the Spanish royal house and the French monarchy coordinated their diplomacies by the Family Compact of 1761. This made it difficult to prevent the circulation of Francophile ideas in the empire.

The Frenchmen in New Spain openly espoused Enlightenment ideas. Before 1763 they had infiltrated the periphery of the Viceroyalty of New Spain—merchants, sailors, and even clergy who came from Louisiana or the French-held islands of the Caribbean. In addition to French Protestantism, they began to disseminate the pre-revolutionary ideas of the *philosophes* and French literary figures. Technicians at the military-naval department of San Blas on the Pacific, physicians all over the empire, royal cooks and hairdressers in the viceregal capital, regiments of soldiers—all of these added to the Francophile *ambiente* in eighteenth-century Mexico.[2] In the two decades, 1763 to 1783, and even afterwards, the residuum of French influence in Louisiana caused New Orleans to be a center of sedition.[3]

Before philosophe thought culminated in the bloody French uprisings of 1789-1793, the Holy Office of the Inquisition found itself hamstrung in enforcing orthodoxy because of the *afrancesado* leanings of Charles III (1759-1788) in his administrative techniques and his economic theories.[4] For all of these reasons French literature was read in Mexico, not only for its freshness and its vitality, but as a guide for the "promotion of useful knowledge." An inherently dangerous ingredient of this milieu was the Holy

Office's necessary relaxation of censorship, with the subsequent proliferation of French ideas on many levels of Mexican society.[5] As the French Revolution gained momentum, the fear of its export to Mexico gave impetus to a resurgence of inquisitorial activity, demands for expulsion of Frenchmen and other suspicious foreigners from Mexico, and confiscation of their properties.[6] This cycle of Francophobia gradually ended as the political alliances of Spain vis-à-vis France and England again shifted, and as the reactionary Directorate consolidated its power in revolutionary France. After 1800, it soon became apparent that Napoleon Bonaparte was unwittingly spreading libertine doctrines over Europe, and the Holy Office once again had the task of defining and enforcing Mexican orthodoxy in a confused ideological and diplomatic environment. The investigatory activities of the Mexican Inquisition and the trials of the era must be examined against this background.[7]

ENLIGHTENMENT men in France—and in New Spain—were talking of popular sovereignty and the inalienable rights of man. The men who questioned the divine right of kings and severed the royal head of Louis XVI from his divine body were also prone to question papal authority, the practice of indulgences, the Triune God, the Immaculate Conception of Mary, and the doctrine of original sin. Both Voltaire and Rousseau had unorthodox religious ideas as well as iconoclastic social and political ones. Those who analyzed orthodox Christianity and established Mexican societal patterns from the philosophe point of view, often found them wanting.[8] Fear lest the French Revolution spread to the Mexican viceroyalty was so great that after 1789 the Holy Office forbade citizens to read about the deplorable event. Late in 1794 plans were made to expel all Frenchmen and French sympathizers in the manner of the Jesuit expulsion three decades earlier.[9]

The Inquisition's control over printed matter, including books, pamphlets, manuscripts—and even printed designs, some of which, for example, showed the Tree of Reason—extended well beyond mere censorship of questionable material.[10] In theory, all books

which entered New Spain were inspected by the Inquisition; much of the data in the Inquisition archive of Mexico consists of lengthy lists from the *aduana*, together with inventories of books being detained in the port of Veracruz. With the aid of these lists one can trace the evolving definition of orthodoxy by noting what works, once banned, were later passed.[11] The books ordered by individual Mexicans throw light on colonial mentality through a knowledge of what men were reading.

Monelisa Lina Pérez-Marchand made an extensive study of the books prohibited in Mexico by the Inquisition, and her research determined that in the latter part of the eighteenth century, works of political philosophy predominated.[12] It is important to note that the majority of books proscribed by Holy Office edicts during 1763-1805 did not simply question specific policies but rather challenged the theoretical existence or *raison d'être* of the State. This indirect attack made it possible for the colonist to read and apply general theories to particular circumstances—Spanish mercantilism, monopolization of office by peninsular Spaniards, monolithic religion, etc. Because the colonists saw the French Revolution as an attempt to put these ideas into practice, accounts of it had to be zealously prohibited. Such works always carried heretical religious propositions. The banned *Lettres d'une Péruvienne* (1797) are a case in point. The Holy Office charged that they were filled with sedition and heresy and "injurious to monarchs and Catholic rulers of Spain . . . and to religion itself." The same decree also prohibited *Les Ruines ou Meditation sur les revolutions des Empires* by M. Volney and others.[13] A separate ban of the Volney tract alleged that:

> its author affirmed that there neither is nor could be revealed religion, that all (people) are daughters of curiosity, ignorance, interest, and imposture, and that the mystery of the birth of Jesus Christ, and the rest of the Christian religion are mystical allegories.[14]

The Holy Office of the Inquisition did not limit its censorship to French books; English Enlightenment works were also a matter of concern. The works of Alexander Pope were most frequently mentioned in edicts of the Inquisition, particularly his *Cartas de*

Abelardo y Heloisa, a translation of *Eloise to Abelard,* telling the tale of a nun's love for Peter Abelard. Proscriptions of Pope ocurred in 1792 and 1799, and by 1815 all of his works were banned.[15] Other English books on the lists were *Gulliver's Travels* (1803), *Tom Jones* (1803), and *Pamela* (1803).[16] The most important edict of the period was the one issued on August 25, 1805, for it presents a comprehensive and alphabetical listing of all books prohibited since 1789. Several hundred works appear on the list. The edict not only reflects concern with the French Revolution, but also with the ascendancy of Napoleon.[17]

In many cases the Inquisition not only found it necessary to prohibit political philosophy, but to deny its content and validity. An example of this was the edict of November 13, 1794 with regard to a volume published in Philadelphia by Santiago Felipe Puglia entitled *Desengaño del Hombre*:[18]

> The author of this book, writing in their own language, blows his raucous trumpet to excite the faithful people of the Spanish nation to rebellion of the most infamous sort. . . . The pedantic writer has made of himself a bankrupt merchant in such sublime goods as politics and the universal right, and [is] equally detestable for his impiety and insolence that, for his ignorance of sacred and profane literature and for the vile and ignominious style with which he speaks of Kings divined by God, imputes the odious name of despotism and tyranny to the monarchial regime and royal authority that arises from God himself and from His divine will . . . and the universal consent of all the people who from most remote antiquity have been governed by Kings . . . [He attempts] to introduce the rebellious oligarchy of France with the presumption to propose [it] as a model of liberty and happiness of republics, while [it is] in reality the best example of desolation brought on by pestilences and anti-evangelical principles.

Of course many of the polemics of the rationalists were against the Inquisition itself, and to maintain its station in colonial life the Holy Office could not tolerate them. In the ban of *Borroquía o la Victima de la Inquisición* the judge condemned the book as full of "ridiculous falsehoods that the enemies of religion have vomited

against the Holy Office." He claimed that the purpose of the tract was to weaken and eventually destroy the inquisition and to introduce heresy.[19]

Such "book reviews" as these must have greatly whetted the colonists' appetite for prohibited foreign books. For those unable to read there were the French prints, and there were watches, snuffboxes, and coins bearing the figure of the goddess Liberty.[20] But many could read, and large quantities of revolutionary literature were being assimilated into colonial thinking. Among the most avid readers were the clergy, who naturally made up a large part of the literate classes. In his letter of October 4, 1794, the Mexican Archbishop lauded the Inquisition for its zeal, and took pride in the fact that until that time he had had no knowledge of any priests being involved in foreign intrigues.[21] His Reverence was being naive if he thought that the exciting new publications from abroad were not being read by members of the clergy. In the same month the Holy Office commenced the trial of Juan Pastor Morales, a professor at the Royal and Pontifical Seminary of Mexico who had read the prohibited French books extensively and who openly espoused seditious ideas.[22] It was alleged that he approved of the republican system, defended the execution of Louis XVI, and claimed that the King of Spain was an oppressive "puritan rogue" who ought to be dealt with in the same way as his French counterpart.[23] He was also accused of speaking against the Pope and the Inquisition.

Juan Ramírez, a member of the Franciscan Order, was also tried in late 1794 for appearing to be an "assemblyist" who applauded the execution of the French monarch, possessed prints of scenes from the revolution, and called Voltaire the "holy father of the century."[24] Anastasio Pérez de Alamillo, the priest and ecclesiastical judge of Otumba, was tried in the same year on counts of religious and political heresy. He maintained a little shop where he sold works by Voltaire and small images of the French philosopher Ferney. Copies of many revolutionary manuscripts and books were found in his possession. Perhaps French philosophy inspired Pérez de Alamillo to express disbelief in the apparition of the Virgin of Guadalupe and the miracles purported to have accompanied the

event.[25] The padre was defended in this famous trial by the later-renowned Carlos María Bustamante. Inquisition processes against the Franciscan Ramírez and the hierarchy clergyman Pérez de Alamillo are forerunners of the great trials of Hidalgo and Morelos after 1810. In each of the four cases it appeared as though the clergy had tried to remain theologically orthodox while embracing philosophical eclecticism. For the most part, however, the Mexican clergy rejected the new thought of the Age of Science and the Age of Reason and cooperated in ferreting out heretics. Priests were under orders promptly to report any evidence of French influence they might encounter in casual conversation, or in the confessional. "The people were to be taught the 'ancient and true' principles of obedience and fidelity 'to the king and to all their superiors.' "[26] In the main, however, the Church, like the State, looked to the Holy Office of the Inquisition to deal with the men, books, and ideas which threatened both.

THE BEST EVIDENCE of the union of heresy and treason appears in the trials of men haled before the tribunal of the Holy Office during the 1790's. Unorthodox clergymen received special treatment and their trials and punishments were private matters. On the other hand, great pains were taken to make a public example of foreigners who were active disseminators of the dreaded libertine ideas. On Sunday, August 9, 1795, the residents of Mexico City witnessed their first major auto de fe in six years. The procession included five heretics convicted of Enlightenment ideas—three of them in person, and two in effigy. The latter were Don Juan María Murgier and Don Esteban Morel, both of whom had committed suicide in the Inquisition jail. The effigy of Murgier was burned with his bones, but since Morel had given signs of repentance in the last moments of his life, he was reconciled posthumously. The cases of Murgier and Morel had caused a scandal and great embarrassment to the Inquisitors.[27]

The most interesting case of this auto de fe, obscured by the attention given to the sensational suicides of Murgier and Morel,

was the trial of Don Juan Longouran of Bordeaux, who had lived in Cuba and Honduras as well as New Orleans before he emigrated to Mexico.[28] In addition to having a lucrative career as a merchant, Longouran was an army doctor. His rationalistic medical view of the universe and the nature of man led him to question religious phenomena. Rash statement of his views in public led him into the halls of the Tribunal of the Holy Office. Shortly after his arrival in the viceregal capital in 1790, Longouran was invited to a dinner where he blatantly expounded heretical ideas. His host made him leave the house, and the next morning denounced Longouran to the Inquisition. He reported that Don Juan had said that fornication was not a sin, and that in taking the women they desired, men simply followed natural law, which was, after all, the guiding motivation of the world. He had claimed that Hell was nothing more than the labors and sufferings men undergo in their mortal lives. He opined that a God of Mercy would not save Christians alone, for there were only three and one half million of them in a world of thirty-three million souls. Such a situation would make for a "small Heaven and very great Hell."[29] He also questioned the doctrine of the Incarnation, the adoration of images, and various other mysteries of the faith, saying he would not kiss the hands of bishops and popes or call for a priest at the hour of his death.He had spoken at length in favor of the French Revolution, and claimed it was legal and just to deny obedience to the Papacy.[30]

The Holy Office of the Inquisition made a secret investigation of the Longouran affair, quietly gathering testimony and keeping the accused under surveillance as a "Protestant" and "secret spy." Perhaps he escaped immediate arrest while the Holy Office gathered more data on his background from Cuba, Honduras, and Louisiana. As the Reign of Terror in France intensified, and as the Spanish prepared to expel Frenchmen from the viceroyalty, the Holy Office arrested Longouran on July 17, 1793, and confiscated his property.[31] After long judicial proceedings, Juan Longouran was convicted of heresy and sedition. He was reconciled in the auto de fe of August 9, 1795, did lengthy penance in the

monastery of the Holy Cross at Querétaro, and was finally deported from Veracruz in October 1797, to serve eight years of exile in a Spanish prison.[32] Juan Longouran was the typical example of the learned man who had separated religion and science in his thinking, and whose electicism undermined his orthodoxy.

The Inquisition's concern with French Enlightenment thought continued after the crowning of Napoleon Bonaparte, and as the Napoleonic soldiers spread philosophe doctrines in the areas they occupied. Don Antonio Castro y Salagado, another native of Bordeaux, was tried for francophile sentiments in 1802.[33] Castro, who had been in France at the time of the Revolution, was a devotee of Rousseau and, as one witness put it, "infected" with revolutionary ideas.[34] Lic. Manuel Faboada testified that Castro could recite entire passages of *Emile* from memory, and that he spoke of Rousseau as "the greatest man of the universe," while he denounced St. Augustine as "a horse" and St. Thomas as a "beast" and spoke of theology as a "useless science."[35] Other testimony proved that he was an agnostic, if not an atheist, and detailed his formal lack of respect for established religious principles. Castro heard his sentence in a private auto conducted in the chambers of the tribunal with only the Inquisitors and his family present. Apparently this procedure was necessary because he was a man of great influence in the viceregal capital. After an abjuration ceremony *de levi,* Antonio Castro y Salagado spent a year in the monastery of Santo Domingo doing penance for his sins. He was then banished from the realms of New Spain for ten years. He was to spend six years in the service of Spain in the Philippine Islands, where his conduct would be supervised by the Inquisition Commissary in Manila.

At the same time that the Holy Office of the Inquisition was preoccupied with the impact of philosophe thought, Freemasonry made its first inroads in the Viceroyalty of New Spain. Foreshadowing the nineteenth-century Mexican Masonic movement, the thinking of the late eighteenth-century group tended to be more political than religious. First formal notice of Masonry in the Indies was taken by the Supreme Council of the Spanish

Inquisition in 1751, when that body sent a letter of warning to the New World bishops requesting them to send lists of soldiers and foreigners who might have Masonic affiliations.[36] Unfortunately, the Holy Office never made a clearly defined distinction among Masonry, Enlightenment philosophy, and Protestantism, and the term *Francomason* took on a very broad meaning.[37]

To CONCLUDE, as some writers have, that the Holy Office of the Inquisition in Mexico declined in power and became decadent in the late eighteenth century because it developed into a political instrument is clearly fallacious. It is obvious that it had always been a political instrument from the time of its founding in New Spain.[38] Only when the Enlightenment publicists, and the French Revolutionary activists, tried to split religion and politics did the distinction between political heresy and religious heresy become manifest in New Spain. For the most part, the Spanish monarchy and the Mexican Inquisition rejected the idea that politics and religion could be separated. The Holy Office tried heretics as traitors, and traitors as heretics. For the Mexican inquisitors, Enlightenment social and political philosophy *was* heresy.[39]

The seeming decadence of the Mexican Tribunal of the Inquisition after 1763 resulted from a whole complex of political and diplomatic circumstances which, in the end, led to a weakening of the institution. The shift of diplomatic and military alliances between Spain and France, and Spain and England, made it difficult for the Holy Office to punish foreign heretics within the Viceroyalty of New Spain. It was equally difficult, if not impossible, to contain foreign political ideas.[40] From the standpoint of domestic politics and Empire policy, the activities of the Holy Office were severely hampered and began to atrophy because of the tendency of royal and ecclesiastical officialdom to embrace philosophical eclecticism. Certainly in the case of the clergy this became a dangerous trend, since, in the final analysis, the new philosophical and political ideas tended to undermine orthodoxy. Social

and economic tensions in the Mexican colony, pragmatically evident, were reinforced by consideration of the new natural laws of politics and economics being expounded from abroad. On the threshold of this societal discontent, the Holy Office was often forced to make an ideological retreat, adopting an attitude of tolerance or inaction instead of its former firmness—in reality a new kind of "flexible orthodoxy."

The total documentation in the Mexican Inquisition archive for 1763 to 1805 reveals that the Holy Office cannot be indicted as loath to prosecute unorthodoxy of any kind.[41] It only confirms the fact that the overriding political considerations of the State made the Inquisitors responsible for enforcing a rapidly changing "party-line" kind of orthodoxy, an almost hopeless task. It was impossible to police the far frontiers from California to Florida, from Colorado to Guatemala, from Havana to Manila, a problem as serious to the Inquisitors as the problem of "flexible orthodoxy." Perhaps it was a sense of frustration in coping with the larger problems that led the Holy Office to concentrate on smaller ones. The tendency to engage in hairsplitting and tedious controversies over jurisdiction and judicial competencies was one result of this frustration.[42] Another was the preoccupation with protecting the position and dignity of the Tribunal of the Inquisition.

The interpretation that the clergy (and the Inquisition) mirrored the times and the society to which they ministered is no doubt true of the Mexican experience during the second half of the eighteenth century. Would the Inquisition and the Crown have reacted any differently had the revolutionary political themes then in vogue been circulating fifty or one hundred years earlier? Probably not. At all events, the policies of Charles III (1759-1788) and Charles IV (1788-1808) did little to strengthen the Mexican Inquisition's mission to preserve political and religious orthodoxy. Indeed the Spanish kings weakened the institution by failing to define the place of the Holy Office of the Inquisition in defining the Imperial self-interest.

NOTES

1. The most recent study touching upon the political side of the Holy Office's activities in eighteenth-century Mexico is Lewis A. Thambs, "The Inquisition in Eighteenth Century Mexico," *The Americas: A Quarterly Review of Inter-American Cultural History,* vol. 22 (October 1965), pp. 167-81.

2. A few random investigations of French ideas and French influence in the period 1763 to 1805 by the Holy Office of the Inquisition are the following: a French maitre de ballet in Mexico City for reading and praising Voltaire, Archivo General de la Nación, Mexico, Inquisición, Tomo 1070, exp. 5 (1765); a 1784 investigation of French writings of the encyclopedists in *El Diario Enciclopédico,* AGN, Inquisición, Tomo 1214, exp. 14; a probe into the alleged heresy of an entire circle of French artisans and painters in 1786, AGN, Inquisición, Tomo 1216, exp. 5. For a list of the French, English, and Portuguese sailors and technicians in jail at San Blas for heretical ideas see: AGN, Inquisición 1324, exp. 9 (1790). To this author's knowledge these manuscripts have not been examined previously.

3. When France ceded Louisiana to Spain in the Treaty of Paris of 1763, Spain's policy was one of tolerance of French Protestant ideas and social philosophy. See Lillian E. Fisher, *The Background of the Revolution for Mexican Independence* (Boston, 1934), p. 104; AGN, Inquisición 1389, exp. 22, for a letter from Louisiana in 1794, about the influx of prohibited books and the Holy Office's concern about New Orleans as a center of political intrigue.

4. For background on the French influence in late eighteenth-century Mexico, see in addition to Fisher, the masterful study of Robert J. Shafer, *The Economic Societies in the Spanish World 1763-1821* (Syracuse, 1958). Arthur P. Whitaker, ed., *Latin America and the Enlightenment* (New York, 1942); Clement G. Motten, *Mexican Silver and the Enlightenment* (Philadelphia, 1950); and Jefferson R. Spell, *Rousseau in the Spanish world Before 1833* (Austin, 1938) are very valuable.

5. As early as 1769 the Fiscal of the Holy Office recognized the dangers of the new policy and protested that works opposing pontifical authority were being read freely, and respect for bishops and the ecclesiastical system was being weakened. He urged prompt action against works that mocked religion and its principles. See Julio Jiménez Rueda, *Herejías y Supersticiones en la Nueva España* (Mexico, 1946), pp. 257-58, for the emendation of the Fiscal's letter to the Consejo de la Suprema of May 26, 1769.

6. See AGN, Historia, Tomo 414, exp. 3, for the interesting set of documents from 1789-1792, Sobre noticias de los acontecimientos de la revolución francesa, Ordenes comunicadas de la corte para que se evite Nueva España la propagación de las ideas revolucionarias; para que se vaya expulsando poco a poco a los negros y castas introducidos de lugares en donde pudieran haberse contaminado con todas tales ideas, y para que no se permita el arribo e internación de emisarios extranjeros. This set of instructions is one of many in AGN, Historia, Tomos 502-519, concerning the "French Menace."

7. Outside of the Catálogo de la Inquisición of the AGN, the most encyclopedic list of trials is José Toribio Medina, *Historia del Tribunal del Santo Oficio de la Inquisición en México* (México, 1954), pp. 311-42. For the most part the Medina treatment is factual and cryptic, without analysis, and does not discuss the trials in relation to the prevailing political, ideological, and diplomatic background. Jiménez Rueda, follows the Medina approach but gives more attention to interpretation. Unless otherwise indicated, archival materials cited below have not been used by Medina or Jiménez Rueda.

8. A devotee of Rousseau brought before the Mexican Inquisition in 1802, Don Andrés María Rodríguez, was quoted as saying that Rousseau had fallen into disrepute in the Spanish realms because only his political philosophy was known. AGN, Inquisición, Tomo 1414, fols. 312-14v. Other cases indicate that Mexicans were intimately acquainted with *Emile* and other tracts which propounded the general theory that man could be regenerated by a reshaping of his environment, a theory that led to a sophisticated decision on the part of some that Spain's Mexican colony needed a new and separate social and political structure independent of the mother country. See AGN, Inquisición, Tomo 1393, exps. 15, 16, 23, for cases during the years 1792-1811.

9. John Rydjord, *Foreign Interest in the Independence of New Spain* (Durham, 1935), gives an authoritative treatment of the francophile-francophobe cycles in Mexican viceregal governmental policies. His research in Spanish archival materials illuminates the inconsistent political policy which Viceroys and Inquisitors in Mexico were supposed to follow vis-à-vis the French. The Treaty of Basle (July 1795) prevented the Viceroy and the Holy Office from making decisive moves against the Frenchmen and their activities in Mexico.

10. AGN, Inquisición, Tomo 1352, exp. 7.

11. See the multiple studies of Irving A. Leonard for this methodology, especially his *Books of the Brave* (Cambridge, Mass., 1949), *Baroque Times in Old Mexico* (Ann Arbor, 1959), and his articles on the book trade in the

Hispanic American Historical Review, passim. Particularly valuable to this study are his "Frontier Library, 1799," HAHR, vol. 23 (1943), pp. 21-51, and "A Proposed Library for the Merchant Guild of Veracruz, 1801," HAHR, vol. 24 (1944), pp. 84-102, the latter work in collaboration with Robert S. Smith.

12. Monelisa Lina Pérez-Marchand, *Dos Etapas Ideológicas del Siglo XVIII en México a través de los Papeles de la Inquisición* (Mexico, 1945), pp. 83-145.

13. Jiménez Rueda, p. 256.

14. Nos los Inquisidores Apostolicos . . . a todas y qualesquier personas, Mexico, 28 de Julio de 1797. AGN, Inquisición, Tomo 1310, fols. 262-263 v.

15. *Ibid.*, Tomo 1382, fol. 140; Tomo 1367, fols. 414-15; Tomo 1458, fol. 214.

16. *Ibid.*, Tomo 1415, fols. 126-27, 130-31; Tomo 1411, fol. 249. See also John E. Longhurst, "Fielding and Swift in Mexico," *The Modern Language Journal*, vol. 36 (1952), pp. 186-87.

17. AGN, Inquisición, Tomo 1427, fols. 2-57.

18. Medina, p. 332, citing *Gaceta de México*, 13 de noviembre de 1794.

19. Nos los Inquisidores Apostolicos . . . a todas y qualesquier personas, 13 de noviembre de 1794, AGN, Inquisición, Tomo 1414, fol. 1.

20. Hubert Howe Bancroft, *History of Mexico*, 6 vols. (San Francisco, 1883-1889), vol. 3, pp. 482-83.

21. Carta del Arzobispo, México, 4 de octubre de 1794, AGI, Estado (México), leg. 22, cited in Rydjord, p. 143.

22. AGN, Inquisición, Tomo 1361, exp. 1. Jiménez Rueda, pp. 258-60, has a cryptic summary of this 184 page proceso.

23. AGN, Inquisición, Tomo 1361, exp. 1, Denuncia.

24. Jiménez Rueda, p. 260.

25. AGN, Inquisición, Tomo 1360, exp. 1, fols. 1-363. See also Tomo 1367, exp. 10, fols. 322-50, for the defense of Bustamante.

26. Carta del Arzobispo, México septiembre de 1794, AGI, Estado (México), leg. 22, cited in Rydjord, p. 142.

27. These cases receive detailed treatment in AGN, Inquisición 1347, exp. 2. Of particular interest is the posthumous trial of Juan María Murgier for suicide in Tomo 1367, exp. 2, fols. 1-133. Murgier's relations with other Frenchmen in Nuevo Santander and in Mexico City are treated in Tomo 1355, exp. 2. Especially interesting was his friendship with a Dr. Juan Durrey who openly avowed that regicide was justifiable in France and elsewhere when kings violated natural law and the natural rights of men:

Tomo 1357, exp. 4; Tomo 1346, exp. 1. The total trial records show Murgier to have been guilty of heresy and treason, and to have questioned the rationale of the power of the Spanish state and the Spanish church in New Spain.

28. Relación de la causa seguida contra D. Juan Longouran de nación francesa, natural de la ciudad de Burdeos, casado en la Nueva Orleans, comerciante y Médico de ejercicio en las provincias de Tegucigalpa y Comayagua del Reino de Guatemala, por proposiciones heréticas, *ibid.*, Tomo 1365, exp. 21. For the continuing Longouran investigation, see Tomo 1320, exp. 1.

29. Copia de la denuncia de Don Rafael López, México, 23 de noviembre de 1790, *ibid.*, fols. 19-20.

30. *Ibid.*, fols. 14-15.

31. Mandamiento de prisión que hemos mandado despachar contra Don Juan Longouran, México, 20 de julio de 1793, *ibid.*, fol. 119 r-v.

32. Juan de Mier y Villar al Señor Marques Branciforte, México, 15 de octubre de 1797, *ibid.*, fol. 13; Copias de cartas al Señor Gobernador de Veracruz, 21 de octubre de 1797, *ibid.*, fols. 145-46.

33. Relación de la causa que en este Santo Oficio ha seguido el Señor Fiscal contra Don Antonio Castro y Salagado . . . por proposiciones heréticas, *ibid.*, Tomo 1414, fols. 280-89, 309-27v.

34. Testimonio de Don José Villeda, México, 27 de octubre y 3 de noviembre de 1802, *ibid.*, fols. 282-85v.

35. Testimonio de Don Andrés María Rodríguez, México, 27 de noviembre de 1802, *ibid.*, 312-14v.

36. *Ibid.*, Tomo 1231, fol. 148.

37. The most complete account of colonial Mexican Masonry is the volume of documents published by the Archivo General de la Nación: *Los Precursores Ideológicos de la Guerra de la Independencia. La Masonería en México en el Siglo XVIII* (México, 1932). The earlier treatment, Medina, *Historia del Tribunal*, pp. 297-311, closely parallels these documents as does the later account by Julio Jiménez Rueda, pp. 268-83.

38. Consult Richard E. Greenleaf, *Zumárraga and the Mexican Inquisition 1536-1543* (Washington, D.C., 1962), pp. 90-93, for the political side of the early Mexican Inquisition.

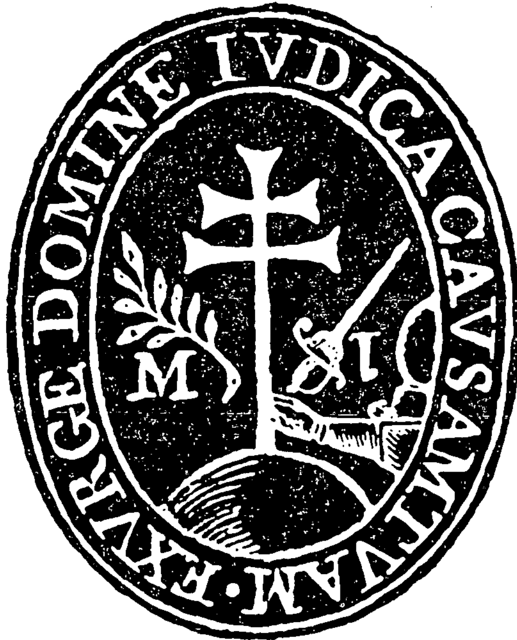
39. Joseph Ferraro, *The Influence of the Philosophy of the French Enlightenment on the Separation of Church and State in Mexico* (México, 1960), reinforces this interpretation.

40. As the late eighteenth-century Inquisitor Juan Vicente Amestoy put it in 1791, "to prevent the arrival of papers and letters is not only

most difficult, but impossible." Juan Vicente Amestoy a Floridablanca, México, 30 de septiembre de 1791, AGI, Estado (México), leg. 1, cited in Rydjord, pp. 131-32.

41. AGN, Inquisición, Tomos 976-1551, or five hundred and seventy-five volumes of documents.

42. See Richard E. Greenleaf, "The Inquisition and the Indians of New Spain: A Study in Jurisdictional Confusion," *The Americas: A Quarterly Review of Inter-American Cultural History*, vol. 22 (1965), pp. 138-66.



ASSESSMENTS DURING THE MEXICAN WAR AN EXERCISE IN FUTILITY

THOMAS M. DAVIES, JR.*

Much has been written about the war between Mexico and the United States of the 1840's. National feeling has inspired varying interpretations, and the opposing views have been rehashed over and over again. Yet there are gaps in our knowledge of some aspects of the struggle. Whatever the reason for neglect of these issues, they are vital to our understanding of the war as a whole.

The question of United States assessments on the Mexican authorities during the war itself has received little or no attention. President James K. Polk, faced with the precarious prospect of obtaining sufficient funds from a hostile Congress, sought a way to force Mexico to pay the enormous cost of the war. In September 1846, the Mexicans rejected an offer of peace. Up to that time the U.S. forces had been paying Mexicans liberal prices for supplies. Now the President decided to confiscate what was needed and to levy forced contributions on the Mexican authorities.[1] Accordingly, Polk ordered General Taylor to follow this procedure, and although Taylor certainly tried, it simply was not practicable.

In early 1847, Secretary of the Treasury, Robert J. Walker, sought to alleviate domestic financial difficulties caused by the war by opening the Mexican ports then under U.S. control and permitting merchandise to enter under a moderate system of duties. With the assistance of Senator Thomas Hart Benton and the Attorney General, Nathan Clifford, Polk decided in March that it was his

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constitutional right as Commander-in-Chief to impose and collect any duties he desired as military contributions. In order to discourage smuggling, Walker lowered duties by one-half and substituted a single, uniform duty of one dollar per ton for all port dues and charges.[2] Polk ordered the new system into effect on March 31. Nevertheless, these port duties produced very little revenue because the imported goods were rarely allowed into the interior.[3]

Early in the fall of 1847, after another Mexican rejection of peace, Polk issued

> positive orders to General Scott to exact military contributions from the Mexicans, and especially if he should take and occupy the City of Mexico. . . . I thought the orders to Gen. Scott should now be more preemptory and stringent, and that nothing should prevent him from levying such contributions upon the wealthy inhabitants of Mexico to defray the expenses of his army, unless he should find that by adopting such a policy, his army could not be subsisted.[4]

Polk continued to press the matter. On September 15 he wrote in his diary that Scott had agreed to much too long a truce outside Mexico City and that he should have taken the capital immediately and quickly levied a contribution.[5] On October 4, he asked Secretary of War William Marcy, to write Scott, "directing him more stringently than had been done to levy contributions upon the enemy, and make them as far as practicable defray the expenses of the war."[6] This was unnecessary, for immediately upon taking Mexico City, Scott had levied such a contribution.

In General Orders No. 287 of September 17, Scott directed that "a contribution of one hundred and fifty thousand dollars is imposed on this capital, to be paid in four weekly installments of thirty-seven thousand five hundred dollars each, beginning on Monday next, the 20th inst., and terminating on Monday, October 11th."[7] This levy was supposedly in return for the protection which Scott offered the Mexicans. He promptly used the money to purchase necessities for his men. Twenty thousand dollars went for the purchase of "extra comforts" for the wounded and sick in

hospitals, ninety thousand for the purchase of one blanket and two pairs of boots for each active soldier, and forty thousand for "other military purposes."[8] The *Ayuntamiento* of Mexico City did not consider this levy excessive,[9] and they were able to pay it by obtaining a loan from D. Juan Manuel Lasquety and D. Alejandro Bellangé at the rate of fifteen per cent.[10]

Scott had made provisions to enable the Ayuntamiento to raise the levy. He allowed them to retain control of the customhouse collections, exempting from duties only those supplies belonging to the quartermaster and commissary departments.[11] In addition, he left the management and revenues of the Post Office to the Ayuntamiento and allowed it to retain the tobacco monopoly.[12] In return, Scott demanded that the Ayuntamiento submit semi-weekly reports of the receipts and expenditures of the City Treasury to the Civil and Military Governor.

President Polk, however, was not satisfied. On November 15, he ordered Scott to impose an export duty on gold and silver exported from Mexico through occupied ports, and also ordered all internal revenues, as well as import and export duties collected under Mexican law, to be "seized and appropriated to the use of our own army and navy. . . ."[13] Scott moved quickly to obey. On November 23, he forbade the Mexican Government to sell houses, buildings, or estates which belonged to the clergy.[14] On November 25, he issued General Orders No. 358 which dealt with rents and bullion.[15]

This order prohibited further exportation of uncoined bullion, bars or ingots, either of gold or silver, until the Polk Administration could fix the rate of export duty on the bullion and on gold and silver coins. No more rents were to be paid for houses or quarters occupied by the officers or troops except when contracts already existed. Public buildings were to be occupied first and then, if it became necessary, private buildings were to be commandeered, "following out the principle of giving the least distress practicable to the unoffending inhabitants. . . ."[16] Although Scott ordered that all the City revenues be paid over to his offices, he continued to require the Army to pay for forage and subsistence.[17]

On November 27, Scott wrote to Marcy, calling his attention to Order 358 and stating that he was engaged in the collection of statistics of finance in the country for the period just before the commencement of the war. He then proceeded to outline in some detail the problems inherent in the attempt to pay for the occupation:

> It is possible that if we should be able to occupy the principal mining districts and seaports of Mexico, and keep the great highways clear of guerilleros and other robbers, the per centage on the precious metals—coinage and exports and duties on increased imports of foreign commodities might amount to ten or twelve millions a year; but on the approach of even Mexican troops, in periods of revolution, the miners always run away from their work, and are rarely brought back in months. The same difficulty may be apprehended from the approach of our troops.[18]

Scott went on to point out that the mints, which were almost entirely in the hands of neutrals, had hired the privilege of coinage for a term of years. In addition, the local and state revenues could only be collected if the army occupied the State Capital and worked through the State authorities. The reason was that, "To collect such revenue directly, by means of agents of our own—Mexican or American—would require a host of civil employees, involving much extortion, waste, and corruption."[19] He added that with the arrival of adequate reinforcements and with the development of an effective financial system, he hoped to be able to collect "at least part of the means necessary to support the occupation."[20]

On December 2, he strengthened his bullion order of November 25, by ordering that no gold or silver bullion be transported to any place but a mint, and that no bars or ingots be exported except those already at U.S.-held ports, and these only after the payment of five per centum of the value. This five per cent levy also applied to the exportation of gold and silver coins. Any attempts to evade the order would result in the confiscation of the bullion or coins in question.[21]

The Polk Administration continued to press Scott for more positive results,[22] and Scott responded with additional plans. On

December 2, he wrote Commodore William B. Shubrick that as soon as he received reinforcements he would occupy the principal mining district, and then the State Capitals within his reach.[23] In line with this, Scott wrote to Marcy asking for two columns of five thousand men each to occupy Zacatecas and San Luis Potosí, but he questioned the advisability of passing through Querétaro and thereby dispersing the Mexican Federal Government.[24]

The following day, Scott issued one of the more important orders of the occupation. General Order No. 376 stated that since the army was about to spread itself over the republic, all taxes and dues within the occupied areas would now accrue to the forces of occupation. He specifically mentioned that the Federal District and the States of México, Vera Cruz, Puebla, and Tamaulipas should hereafter pay all usual dues and taxes to the army on the first of each month, and that other states would fall under the directive as they were occupied.[25]

The dues and taxes to which he referred were: district taxes, dues on the production of gold and silver, melting and assaying duties, the tobacco rent, the rent on stamped paper, the rent on the manufacture of playing cards, and the rent of post offices. In addition, he prohibited the national lotteries and reiterated the order against the exportation of silver and gold in bars or ingots. To cut down on bureaucratic machinery, Scott also let contracts to the highest bidder on the rents of tobacco, playing cards, and stamped paper.[26]

Scott immediately sent a copy of this order to Washington, together with a long memoir on the exportation of precious metals. He noted that the taxes and dues should be collected in such a way as to interfere as little as possible with either domestic or foreign interests, particularly the mining and minting interests. He further noted that the exportation of gold and silver bars had been prohibited under both the Spanish and Mexican governments, and he recommended that the United States continue this policy, not only to increase revenues, but also to protect the neutral foreign companies who had rented the mints.[27]

These foreign companies which controlled the mints coined

approximately $15,000,000 yearly and to allow exportation of bars would ruin them. Also, according to Scott, it would flood the world market and adversely affect the gold and silver exchanges of England, France, and the United States.[28] He argued against a protective duty on exportation for the same reasons, and further maintained that the duties on coined silver were too high. There were two separate duties which totaled ten per cent. The first was a four per cent circulation duty on specie going from the interior to the ports, and the second was a six per cent levy on the specie exported. He argued that these levies had encouraged contraband and revenues had decreased. He called for the abolition of the circulation duty and the lowering of the export duty to five per cent.[29]

Apparently fearing that Polk might not agree with his logic, Scott wrote to Marcy on December 17. He again argued that the exportation of bars or ingots would be a disaster and stated that, "if we permit the exportation of bars and ingots there will be but little domestic coinage, our own draughts would soon be under par, and the Mexicans, from the want of a sufficient circulation medium, be less able to pay the contributions which we propose to levy upon them through their civil authorities."[30]

He was pushing ahead with his plans to occupy the mining districts. He told Marcy that the columns of General Butler and Colonel Johnson would be in Mexico City the following day, and that he would then be in a position to take San Luis Potosí.[31] Scott needed two columns of five thousand effective soldiers each. The sick and ill-equipped columns under Johnson and Butler were in no condition to undertake the campaign.[32]

Scott therefore chose as immediate objectives, the occupation of the towns of Pachuca, Lerma, Toluca, and Cuernavaca. Of all these, Pachuca was perhaps the most important financially because of its proximity to the large mines of Real del Monte. On the day he dispatched troops to Pachuca, he wrote Marcy that: "There is an assay office at Pachuca, to which a large amount of silver bullion is soon to be brought, and if we have not troops present, the federal officers of Mexico will seize the assay duties to our loss."[33]

Pachuca was occupied peacefully on December 29,[34] and heavy assessments were levied against the other newly captured towns.[35]

A few days later, orders from the Polk Administration, regarding assessments, arrived in Mexico City. All export duties exacted by the Mexican Government before the war were to be paid to U.S. officials, as were all internal property taxes either on persons or property which had been previously levied by any department, town, or city government. The directive also set the export duties on precious metals as follows: gold, coined or wrought, three per cent; silver coin, six per cent; silver wrought, with or without Mexican certificates, seven per cent; gold ore or dust, three per cent; and silver ore, seven per cent.[36]

Scott then issued the most important directive of the occupation. General Orders No. 395 of December 31, provided a detailed and comprehensive program of assessments. In the first place, each state, whether occupied or not, was assigned a yearly assessment. This assessment, which was quadruple the direct taxes paid by the several states in 1844,[37] was as follows:

Chihuahua	$ 49,188
Coahuila	5,557
Chiapas	21,692
Durango	85,556
Guanajuato	255,576
Jalisco	236,338
México State and Federal District	668,332
Michoacán	287,712
Nuevo León	50,437
Oaxaca	84,160
Puebla	424,276
Querétaro	85,944
San Luis Potosí	111,260
Sinaloa	33,524
Sonora	5,000
Tabasco	59,060
Tamaulipas	71,332
Vera Cruz	271,548
Zacatecas-Aguascalientes, reunited	240,076

As a part of this, the city transit duties, the tobacco monopoly, and the national lotteries were abolished, and the receipts from the post offices, playing card monopoly, and stamped paper monopoly were relinquished to the State governments.[38]

The governors and legislatures of the different states were held responsible for the collection of the federal dues and were to pay the U.S. Commander one-twelfth of the annual sum on the first day of each month, either in money or in articles of subsistence or forage. If the sum was not paid, the U.S. commanders were ordered to collect the sum by force, in money or in kind from the wealthier inhabitants of the region. In addition, all parties concerned were required to maintain a rigid accounting of the revenues received or taken and to report the monthly total to Scott's headquarters.[39]

More important, these orders established uniform duties on the mining, assaying, melting, and coinage of precious metals. The new rates were:

> On production of both gold and silver, three per cent; on melting, two dollars and fifty cents for every one hundred and thirty-five marks, the mark being eight ounces; on assaying, one dollar the bar for bars of silver, or one dollar and fifty cents for bars of gold or of gold and silver mixed; and on coinage, the percentage on both metals heretofore paid by the mints according to their contracts with the Mexican Government.[40]

In addition, the collection of dues on production, melting, and assaying was to be made at the assay offices, and that on coinage at the respective mints. Officers were sent to both places to oversee the operation and to submit periodic reports.

This may have been Scott's most far-reaching directive; unfortunately it was almost impossible to enforce. Most of the states had not been occupied and never would be. Officials of occupied states demonstrated amazing dexterity in evading the directives. But the most serious and exasperating difficulties came in the attempt to enforce the duties on precious metals. Problems quickly arose as evidenced by Scott's directive of January 5, 1848. He ordered

that all bars of silver or gold produced in the mineral districts nearest the assay office in the Capital were to be sent to that office, together with a permit, signed by the nearest U.S. commander, stating the number, kind, and value of the bars. This permit was then to be returned to the agent of the mine with a deposition that the proper dues on production, melting, and assaying had been paid.[41]

After the bars had been assayed, they were to be sent immediately to the nearest mint for coinage. This was to insure the collection of the coinage dues and also to prevent the illegal exportation of bars. As a further precaution against evasion, a bank was established at every assay office to maintain an accurate accounting of the number, weight, and standard of the bars. The Assayer and the Superintendent of the mint were held responsible for the accuracy of these records.[42]

Despite these tight regulations, Scott had every reason to suspect that smuggling of bullion was extensive and would continue to occur. He therefore ordered that the penalty for any such attempt would include a fine to the owners and shippers equal to the value of the metals in question. He further announced that, "Escorts of American troops, when needed and practicable, will be granted to the precious metals in passing from the mines to the Assay offices and from the latter to the mints."[43]

A few days later, Scott appointed Major J. L. Gardner Superintendent of the direct and indirect assessments for the Federal District. He ordered Gardner to ascertain the amount of assessments due, make demands for their regular payment, and settle all disputes which might arise.[44] Major Gardner kept a letterbook, which reveals the actual problems involved in implementing the bullion decrees. Although Gardner dealt only with the mint and assay offices in Mexico City, the problems which he encountered very likely would have occurred in the other mints.

One of Gardner's more difficult problems arose even before he took office. In early December, 1847, Alex Bellangé, the Director and Proprietor of the Mint (*Casa de Moneda*) wrote Scott's headquarters that he had rented the mint for ten years from the Mexican Government on February 23, 1847, for $174,000 rent and

one per cent of the total coinage of the mint, to be paid every three months. He stated that the coinage from February 23 to July 13 amounted to $701,106 and that the one per cent of $7,011.06 was paid on July 16. The coinage from July 13 to October 13 amounted to $365,300, and by order of the Mexican Government of July 22, Bellangé paid the one per cent of $3,653 to Dr. Torellaria Casaría. He then stated that the coinage from October 13 to November 30 amounted to $405,975, but that the one per cent had not been paid to the U.S. officers because it was only due every three months.[45]

Soon after assuming his duties, Gardner wrote to Bellangé accusing him of violation of his contract with the Mexican Government in that his first payment covered a five-month period and the second only a three-month period. According to the contract, Bellangé should have made quarter payments on May 23, August 23, and November 23. Gardner demanded the whole dues of the third quarter or at least that portion dating from September 14, now due at the mint. He also demanded proof that Bellangé had actually paid the sums to the Mexican authorities, and a complete statement of the total coinage from February 23, 1847, to January, 1848.[46]

Bellangé supplied the receipts as requested, but Gardner wrote a few days later that although the first quarter payment was irregular, it did not concern the United States Army. The second payment was another matter because it included the month of September and half of October, which fell within the occupation period. Gardner argued that since the payment was irregular, since it was not made directly to the Mexican Government, and since it was made after the occupation of the Capital it could only be regarded as an unadjusted account. Gardner therefore requested a repayment to his office of the one per cent from September 14 to October 13.[47]

Bellangé retorted that the procedure was quite within the terms of his contract. He stated that by agreement with the Mexican Government, the payments during times of public disturbance would commence from the date of the first delivery of coin, which was on April 13. Thus the first quarterly payment would

fall due on July 13 and the second on October 13. He further argued that the second payment was ordered in advance of the time when it fell due, and that he had obeyed that order before any orders to the contrary could come from Scott.[48] Gardner therefore suggested to Scott that the claims be relinquished because some doubt existed and because sufficient safeguards had been created to keep the problem from arising again. Scott approved of this decision,[49] and Gardner informed Bellangé that he was no longer being held responsible for the one per cent between July 13 and October 13.[50]

During his sparring match with Bellangé, Gardner was also engaged in a running, two-month controversy with the Assayer of the Republic, Dr. Cayetano Buitrón. On January 20, Gardner wrote Buitrón requesting him to make careful entries in his book (Borrador Diario) of the total quantity of precious metals which had entered the assay office from September 13 to the present date. He further requested that Buitrón then send him the book.[51] In this way Gardner hoped to ascertain what dues on production, melting and assaying had not been paid to the Mexican authorities.

The following day, Buitrón sent a book which showed twelve deposits between January 7 and January 13, 1848. Gardner approved six of these entries as conforming to existing regulations, but he held that two were of "quantities of which the regular declarations were not made, and for the violation of General Orders on this point, are to be held by you as subject to confiscation."[52] The remaining four entries were open to controversy. The owners of the four deposits claimed they had already paid the dues to the Mexican authorities and had proof to substantiate their claims. Gardner, however, held since they were made before deposit in the assay office and after the promulgation of General Orders No. 395, that Buitrón would be held accountable for the payment of said dues amounting to $975.80.[53]

The owners replied that, in the absence of any U.S. forces, the payments were coerced by the Mexican Government. Moreover these payments took place before they learned of the existence of Scott's orders. Gardner then suggested to Scott that, since they

could not have obeyed the law even if they knew of it, the claim be canceled.[54]

Implicit in Gardner's recommendations was the fear that strict enforcement of the regulations might result in the mine owners withholding their metals from the assay office. Scott recognized this very danger and wrote: "The practical suggestions that the enforcement of our demands, would probably cause a large amount of the precious metals to be withheld from the mint of this capital, alone induces me to concur in the conclusion of the superintendent."[55]

The book which Buitrón sent on January 21 did not contain an exact report of the quantity of silver and gold sent from the assay office to the mint in the period September 13 to January 1, so Gardner demanded that he comply with the order.[56] Buitrón replied on the same day, asserting that his office had been sacked on September 14, and that everything in it, including books and archives, had been destroyed. But on January 29, he wrote that, in order to meet his responsibilities to the Mexican Government, he had sent the books of his office to the Tribunal of Accounts in Querétaro.[57]

These figures were vitally important to Gardner, for without them he was unable to ascertain the amount of precious metal which had passed from the assay office to the mint and was therefore unable to assess the proper dues. In addition, he had no way of determining the amount of dues on production, melting, and assay Buitrón still held in his hands or had paid illegally to the Mexican authorities.

As a result Gardner was quick to jump on the discrepancy in Buitrón's explanation of the fate of the record books. Regarding the claim that they had been sent to Querétaro, he wrote: "I either mistake your meaning or this is in direct contradiction of the statement in your letter of the 21st by which it is emphatically stated 'every book' was destroyed."[58] Gardner also questioned whether Buitrón had indeed sent all his records, including vouchers and memorandum. In short, he ordered him to comply or face the consequences as set down in General Orders No. 395.[59]

As Buitrón's replies became more and more evasive, Gardner

finally laid the matter before Scott. He informed him of the continued requests for the financial records and of Buitrón's irrelevant and contradictory replies. He also noted that Buitrón no doubt had the books after December 31, and had sent them to Querétaro to evade Order No. 395. If this were true, it would in part explain Buitrón's evasive responses and his pretense of not understanding Gardner's orders. Gardner summed up the matter by stating:

> My suspicion now is that this man is the tool of others, that the dues on production, melting and assaying—amounting as I think they must, to more than three times the dues on coinage, in the period which I have endeavored to explore—have been embezzled to his own use and that of his co-adjutors and that he attempted to escape responsibility by mystification and evasion. If this suspicion be well founded the remedy I suppose will consist in taking forcible possession of the assay Department (and mint for they are both in the same building) and in seizing the person of the assayer for imprisonment, and the silver for confiscation.[60]

The following day, Gardner wrote Buitrón that unless he produced an accurate and clearly written document and sent it to the assessment office "by 12 o'clock of the 3rd current, the penalties provided for in existing orders will be applied."[61] This was not an idle threat, for on March 3, between noon and one o'clock, both the Assay Department and the mint were closed and locked.[62] Buitrón finally submitted a report on March 9, but it was no more satisfactory than previous ones, because it was merely "a re-iteration in specific terms of your former answers to my demands, and therefore leaves the matter in controversy, with its doubtfulness and contradiction in the same unsatisfactory state."[63] Nevertheless, the Assay Department and the mint were reopened and Buitrón was allowed to continue as assayer.

Thus in the cases of both Bellangé and Buitrón, Gardner and Scott found it necessary to capitulate. They lacked documented proof to back up their directives. Although the situation was hardly satisfactory, it was far more expedient and profitable to keep the

assay office and the mint functioning so as to collect what dues they could.

Their pragmatic attitude was demonstrated again in the controversy with William de Decisina & Co. This company sent twenty-six bars of metal to the assay office for the payment of dues, but wanted them returned intact or uncoined. Gardner ordered Bellangé to hold the bars in question, along with thirty others, until a decision could be reached by the Commanding General.[64] The matter was finally settled in late April by Gardner's successor Major George A. Caldwell. Caldwell instructed Buitrón to return all bars, bundles, and pieces of bullion to those who wished them uncoined.[65] Another section of Orders No. 395 was abandoned.

The problems faced by Gardner and Scott in the collection of dues on precious metals were indicative of the problems they faced in all areas of assessments. Despite the vast time and manpower expended, the returns were slight. For example, during the period from October 13, 1847, to February, 1848, the one per cent duty on coinage amounted to only $8229.30.[66] Revenues on the production, melting, and assaying of precious metals were somewhat larger, but they still fell far short of what was expected.[67]

The fact was that the United States Command simply could not enforce its bullion decrees. Most of the mines were owned and operated by foreign neutrals whom Scott did not wish to alienate. In addition, Scott did not have the men to seize, hold, or protect the mines and the supply routes to them. And, as we have seen, when the ore did reach the capital, the Mexican authorities were fairly successful in evading the duties.

The same conditions prevailed in other assessment areas. The importation of American tobacco ruined the effectiveness of tobacco monopoly, and other monopolies also had to be surrendered for administrative reasons.[68] The various state assessments were, for the most part, unenforceable. The order against paying rents was likewise impracticable because many of the rented buildings belonged to friends or neutrals. It should also be noted that one of the cornerstones of Scott's occupation policy was to interfere as little as

possible with civilians, local governments, and municipal revenues.

All of these factors combined to militate against the succesful collection of assessments. Polk had hoped to pay for the war with assessments, and although Scott's expectations were less pretentious, he himself hoped to collect as much as twenty-three million. Both men were far too optimistic, for the net proceeds, including $106,928 turned in by naval officers, amounted to only $3,935,-676.[69] Considering that the total cost of the war exceeded one hundred million dollars, the assessment program must be viewed as a failure, but, in all fairness to Scott and his men, it is doubtful that anyone with any other plan could have produced better results.

NOTES

1. Justin Henry Smith, *The War With Mexico* (Gloucester, Mass., 1963), vol. 2, p. 264.

2. *Ibid.*, p. 263.

3. *Ibid.*

4. James Knox Polk, *Polk: The Diary of a President, 1845-1849, Covering the Mexican War, the Acquisition of Oregon, and the Conquest of California and the Southwest*, ed. by Alan Nevins (New York, 1929), pp. 258-59. It is revealing to read Scott's own writings on this subject: "Early in the campaign I began to receive letters from Washington, urging me to support the army by forced contributions. Under the circumstances, this was an impossibility. The population was sparse. We had no party in the country, and had to encounter the hostility of both religion and race. . . . Hence there was not among them a farmer, a miller, or dealer in subsistence, who would not have destroyed whatever property he could not remove beyond our reach sooner than allow it to be seized without compensation. For the first day or two we might, perhaps, have seized current subsistence within five miles of our route; but by the end of a week the whole army must have been broken up into detachments and scattered far and wide over the country, skirmishing with *rancheros* and regular troops, for the means of satisfying the hunger of the day. Could invaders, so occupied, have conquered Mexico?" Winfield Scott, *Memoirs of Lieut.-General Scott* (New York, 1864), vol. 2, pp. 552-53.

5. Polk, pp. 263-64.

6. *Ibid.*, p. 267. For an example of further pressure, see Marcy, 6 October 1847, to Scott, U.S. House of Representatives, 13th Congress, 1st Session, *Mexican War Correspondence*, Executive Document No. 60, U.S. Serial Set No. 520, December 6, 1847-August 14, 1848, pp. 1006-009. Hereafter cited as Doc. 60 followed by the page number.

7. Quoted in *The American Star*, 20 September 1847, p. 1.

8. *Ibid.* See also, George Ballantine, *Autobiography of an English Soldier in the United States Army. Comprising Observations and Adventures in the United States and Mexico* (New York, 1853), p. 269, and Alfred Hoyt Bill, *Rehearsal for Conflict; The War With Mexico, 1846-1848* (New York, 1947), p. 300.

9. Ramón Alcaraz, *The Other Side; or Notes for the History of the War Between Mexico and the United States*, trans. by Albert C. Ramsey (New York, 1850), p. 418.

10. *Ibid.*

11. General Order No. 289, 18 September 1847, reprinted in *The American Star*, 20 September 1847, p. 1, and in Marcus J. Wright, *General Scott* (New York, 1900), p. 235.

12. Orders of the Governor, 22 September 1847, reprinted in *The American Star*, 24 September 1847, p. 1.

13. Polk, pp. 279-80.

14. Orders of the Governor, 23 November 1847, reprinted in *The Daily American Star*, 24 November 1847, p. 1. On October 12, 1847, *The American Star* became *The Daily American Star*.

15. Reprinted in *The Daily American Star*, 26 November 1847, p. 1.

16. *Ibid.*

17. Entry of 25 November 1847, Daniel Harvey Hill MS Diary, typescript copy of original manuscript which is in the Southern Historical Society, University of North Carolina Library. Hereafter cited as Hill Diary.

18. Scott, 27 November 1847, to Marcy, Doc. 60, pp. 1031-33.

19. *Ibid.*

20. *Ibid.*

21. General Orders No. 362, 2 December 1847, reprinted in *The Daily American Star*, 4 December 1847, p. 1.

22. For an example of their pressure, see Marcy, 14 December 1847, to Scott, Doc. 60, p. 1037.

23. Scott, 2 December 1847, to Shubrick, Doc. 60, pp. 1035-36.

24. Scott, 14 December 1847, to Marcy, Doc. 60, p. 1039.

25. General Orders No. 376, 15 December 1847, reprinted in *The Daily American Star*, 17 December 1847, p. 1.

26. *Ibid.* For discussions of this order, see Entry of 19 December 1847, Hill Diary, and *The Daily American Star*, 17 December 1847, p. 2.

27. Doc. 60, pp. 1051-52.

28. *Ibid.*, p. 1052.

29. *Ibid.*, pp. 1052-53.

30. Scott, 17 December 1847, to Marcy, Doc. 60, p. 1046.

31. *Ibid.*

32. Bill, p. 310, and Smith, vol. 2, p. 184. For a description of the condition of these two columns, see Scott, vol. 2, pp. 556-57.

33. Scott, 25 December 1847, to Marcy, Doc. 60, p. 1048.

34. For a fascinating account of the Pachuca campaign, see entries of 25 December and 30 December, 1847, Hill Diary. Daniel Hill was an officer in the Ninth Infantry which took Pachuca.

35. Scott, 25 December 1847, to Marcy, Doc. 60, p. 1048, and Bill, p. 310.

36. Reprinted in *The Daily American Star,* 30 December 1847, p. 3.

37. For a detailed breakdown, by states, of the income of the Mexican Government in 1844, including the duties on gold and silver and the mints, the direct taxes and duties on commerce in the interior, the monopoly on tobacco, the monopoly on stamped paper, and the duties on the post offices, see Doc. 60, p. 1070.

38. General Orders No. 395, 31 December 1847, Doc. 60, pp. 1063-64.

39. *Ibid.,* pp. 1064-65. It is highly doubtful whether Scott could have occupied these states even if he had tried. Thus, the various state assessments amounted to little more than a paper threat.

40. *Ibid.,* p. 1065.

41. General Orders No. 8, 5 January 1848, reprinted in *The Daily American Star,* 7 January 1848, p. 1.

42. *Ibid.*

43. *Ibid.* Escorts were actually provided for the shipments. One such escort accompanied a large shipment of bullion from Pachuca to Vera Cruz. See Entry of 5 January 1848, Hill Diary.

44. General Orders No. 15, 11 January 1848, reprinted in *The Daily American Star,* 12 January 1848, p. 1.

45. Letter of Alex Bellangé, 3 December 1847, in Records of the Office of the Adjutant General, Record Group 94, Letterbooks, Superintendent of Assessments, Vol. 352 (Washington, D.C.: National Archives and Records Service, General Services Administration), p. 1. Hereafter cited as Letterbook.

46. Gardner, 18 January 1848, to Bellangé, *Letterbook,* pp. 4-6.

47. Gardner, 26 January 1848, to Bellangé, *Letterbook,* pp. 9-11.

48. Gardner, 29 January 1848, to Scott, *Letterbook,* pp. 15-17.

49. *Ibid.*

50. Gardner, 31 January 1848, to Bellangé, *Letterbook,* p. 19.

51. Gardner, 20 January 1848, to Buitrón, *Letterbook,* p. 7.

52. Gardner, 25 January 1848, to Buitrón, *Letterbook,* pp. 8-9. These confiscations were merely to serve as a warning to the producers, and consequently, Gardner returned the silver in question to the owners. See Gardner, 29 January 1848, to Scott, *Letterbook,* p. 14.

53. Gardner, 25 January 1848, to Buitrón, *Letterbook,* pp. 8-9.

54. Gardner, 29 January 1848, to Scott, *Letterbook,* pp. 17-19.

55. *Ibid.*

56. Gardner, 27 January 1848, to Buitrón, *Letterbook,* pp. 13-14.

57. Gardner, 17 February 1848, to Buitrón, *Letterbook,* pp. 26-28.

58. *Ibid.*

59. *Ibid.*

60. Gardner, 29 February 1848, to Scott, *Letterbook,* pp. 30-35.

61. Gardner, 1 March 1848, to Buitrón, *Letterbook,* pp. 37-38.

62. Report by Gardner, 5 March 1848, *Letterbook,* pp. 39-40.

63. Gardner, 10 March 1848, to Buitrón, *Letterbook,* p. 42.

64. Gardner, 11 March 1848, to Bellangé, *Letterbook,* p. 47.

65. Caldwell, 26 April 1848, to Buitrón, *Letterbook,* p. 47.

66. Gardner, 15 February 1848, to Scott, *Letterbook,* p. 25.

67. Scott, 6 February 1848, to Marcy, Doc. 60, pp. 1085-86.

68. Smith, vol. 2, p. 265. See also Scott, vol. 2, pp. 563-64: "The tobacco monopoly I have thought it necessary to abolish. It would be worthless without a prohibition of the plant at the custom houses, and I doubted whether our Government, considering the interests of some five of our own tobacco-growing states, would prohibit the importation."

69. Smith, pp. 265-66.

"AGITATED, PERSONAL, AND UNSOUND . . ."

JANE C. SANCHEZ

NEW MEXICO Territory, 1867; confused, lawless, isolated; only beginning to attract immigrants from the States—not traditional hard-working pioneers, but homeless ex-Confederate and Union soldiers, fortune hunters, land grabbers—anyone who wanted to build a new life, a new identity. They came, often, more like conquerors than settlers, frequently taking undue advantage of the native population.

In 1866 President Johnson appointed ex-General Robert Byington Mitchell to govern this motley group as a reward for his services to the Union in the battle of Chickamauga, Perryville, and Wilson's Creek.[1] Mitchell's reputation as a stern military commander preceded him to New Mexico, and the people hoped he would prove a strong governor.[2] But Mitchell was dogmatic, apparently self-centered, an unswerving Democrat who lacked the diplomacy to govern the solidly Republican Territory without constant friction with the opposing political party. Thus Governor Mitchell quickly became one of the most disliked men ever appointed to territorial office.

The antagonism between the Governor and the people exploded into a no-holds-barred fight on December 31, 1867, when the Legislature received the following message from Governor Mitchell vetoing their joint memorial requesting Congress to amend the Organic Act of the Territory to modify the Governor's absolute veto.

Executive Office
Santa Fe, N.M.
December 30, 1867

To the Presidents of the Council
and the House of Representatives.

Sirs.

In view of my public duties, I feel it my responsibility to return to your Honorable Bodies, without my approval, a memorial to the Congress of the United States passed by your respective Houses, entreating that the provision in Section 3 of the Organic Act of this Territory relative to the veto be abrogated.

The excited state of public mind in this Territory at present makes it necessary that I put a stop to agitated, personal and unsound legislation, as manifested by your Bodies.

At some future time perhaps it might be expedient to consider said provision; but to do so now would be, in my opinion, the destruction of the well-being of the Territory.

I have the honor of being
Your obedient servant
Robert B. Mitchell[3]

The state of public mind was, as Governor Mitchell said, agitated. The Legislature opened on a politically partisan note when it upheld Territorial Secretary Heath's certification of the election of Republican W. L. Rynerson, a former officer in Carleton's California Column, as Senator from Doña Ana County. Samuel J. Jones, the Democratic candidate for that seat, held a certificate of election properly signed by Probate Judge Lemon of Doña Ana County. But after re-counting the Doña Ana County votes, Secretary Heath declared Judge Lemon's certificate fraudulent, and claimed he was justified in certifying Colonel Rynerson in place of Mr. Jones.[4]

Secretary Heath's count of the votes may well have been correct. But it was highly irregular, if not illegal, for the Secretary of the Territory to sign a certificate of election to the Legislature.[5] And it was only after two days' careful consideration that the Legislature upheld Secretary Heath's certification of Rynerson.[6]

But in spite of the Governor's reference to agitated, personal, and unsound legislation, most of the business considered by Legis-

lature up to December 31, 1867, seems calm and sensible; and the Legislative Assembly Papers tell us a great deal about life in territorial New Mexico. They contain a request to Congress for enough troops and/or arms to protect outlying settlements from marauding Indians; a request not likely to be granted by a federal government in the throes of post-Civil War reconstruction, but necessary to the safety and development of the Territory. There is a plea for a system of free public education, hardly a controversial matter in a territory where the population was preponderantly illiterate and many of the people could not even speak English.

The Legislature's request for better mail service to and from the States and extension of territorial mail routes to include San Miguel and Mora Counties, which had no mail service in spite of their growing population, reveals one of the most serious problems faced by businessmen—and one of the biggest complaints of immigrants from the States and military stationed in the Territory.

Spurred by the blatant frauds in the 1867 election, the House and Council passed a joint act providing for pre-registration of voters, certainly a non-partisan step in the right direction. An act amending the criminal code to forbid the carrying of deadly weapons except in self-defense appears, fortunately, not to have been voted on. A joint resolution petitioning Governor Mitchell to pardon Nestor García, who had been sentenced to thirty stripes for horse stealing, signals the end of corporal punishment in the Territory.

There are three acts in the Legislative Assembly papers establishing a police and sanitary code for the city of Santa Fe, which evoke a picture of a small frontier village rather than the capital of a territory and cultural center of the Southwest. The "Police Regulations" act sets out rules for keeping streets and sidewalks clean. It forbids anyone to appear in public drunk, to use scandalous words, or sing obscene songs in public, outlines minimum standards for residential area cleanliness, prohibits unauthorized excavations in public places, and provides for enforcement of the Sunday Law.

The second special act for the city of Santa Fe requires all com-

mercial establishments fronting on the main street, from its beginning on the west to the parroquia on the east, and those fronting on the plaza to display a light from dusk to dawn in order to light the streets. The fine for violation of this law was to be up to five dollars for each night no light was displayed.

The third act forbids butchering within the limits of the city of Santa Fe during the summer months. Picayunish as this act may seem today, it was probably badly needed—the stink of large-scale butchering in hot weather would have been unbearable, and flies and other insects attracted to the bleeding carcasses and piles of waste would have been a serious menace to public health.

It is true, however, that the Legislature passed some controversial legislation before receiving Governor Mitchell's December 30th letter disapproving its veto resolution. The most inflammatory was a joint resolution presented by Colonel W. L. Rynerson,[7] controversial Senator from Doña Ana County, requesting Congress to remove the Chief Justice of the Territorial Supreme Court, Judge John P. Slough. The Republican Legislature accused the Democratic Chief Justice of malfeasance in office: partisan and tyrannical decisions, intimidation of jurors, public assault and cursing of important territorial officials, and drunkenness.[8]

On learning of this resolution the temperamental Chief Justice publicly cursed Colonel Rynerson, and the next day refused Rynerson's demand that he retract his words, even though Senator Rynerson reinforced his demand with a Colt revolver. Instead Judge Slough reached toward his pocket; and Rynerson immediately shot and killed the Chief Justice. Colonel Rynerson was charged with the murder of Judge Slough, but unanimously acquitted some three months later by a San Miguel County jury as having shot in self-defense.[9]

If there was doubt as to the truth of Governor Mitchell's accusations before the Legislature received his veto message, there was none after. As soon as the veto message was read, the enraged Council rejected a motion "that the communication be returned to Robt. B. Mitchell." Instead they appointed a committee to take it

back, and recessed till the committee returned and reported that the Governor had been found.[10]

On January 2, 1868, after a two-day recess for New Year's, the Diario del Consejo Legislativo notes "that the commission appointed to return to his Excellency his special message for lack of an official signing, has the honor to report that his Excellency has replied that when messages are officially headed they do not need his official signature, and he is therefore returning the special message which he addressed to this body for its consideration." The report was adopted.

On January 14, 1868, the Legislature passed a joint resolution requesting Congress to remove Governor Mitchell:[11]

> Governor Mitchell assumed the duties of Executive of this Territory in August 1866. He immediately began partisan intervention in the nomination and choice of the representatives to the Legislature. Said choice took place some few weeks after his arrival in this Territory.
>
> 2nd. Before the meeting of the Legislature at the session of 1866 and 1867, Governor Mitchell, disregarding his duties and the interests of the people of New Mexico, left the Territory for Washington City, remaining absent from his post of duty throughout the whole session of the Legislature. The functions of the Executive thereby devolved upon the Secretary of the Territory, who discharged said duties faithfully and to the satisfaction of the people.
>
> Upon Governor Mitchell's return to New Mexico in late winter or early spring 1867, he began an unauthorized and illegal removal of the officials named by the former Secretary of the Territory and interim Governor, the term of whose predecessors had expired by law; and the legal appointment of whom by the interim Governor had been confirmed by the Legislative Council in conformity with the law. . . .
>
> 2nd [*sic*, 3rd]. Clearly in violation of the law, he [Governor Mitchell] named [James] Russel Adjutant General in place of General [John] Gwin, qualified; in the same manner he named Epifanio Vigil Auditor of Public Accounts in place of Don Anastacio Sandobal, qualified; using the same method, he named Jesus H. Alarid Territorial Librarian in place of Trinidad Alarid, qualified, and C. P. Clever Attorney General in place of Mr. Elkins, qualified.
>
> 4th. Governor Mitchell, ignoring the rights of the people of New

Mexico, and under an assumption of power totally usurped (without being delegated) and never before exercised by any Executive in the United States, named a Delegate to the Fortieth (40th) Congress of the United States while a canvass of votes for said Delegate was in progress in this Territory.

5th. Governor Mitchell, before the last General Election here in this Territory (September 2, 1867) established or authorized the establishment of new precincts in counties of this Territory, by such act assuming a prerogative belonging only to the Legislature.—A power purely legislative in character—thus setting a dangerous example, and taking upon himself not only the executive, but also the legislative authority, usurping the rights of the people of this Territory.

6th. Governor Mitchell, in direct violation of the laws of this Territory, took upon himself the prerogative of giving a Certificate of Election to one of the candidates for the Fortieth (40th) Congress in the election held here September 2nd last. When such duties belong directly to the Secretary of the Territory according to the law, which has been in existence now for about a fifth of a century, having been approved by Congress and in absolute force and effect.

7th. And, finally, governor Mitchell has daringly begun trampling upon the rights guaranteed to the people of New Mexico to memorialize the Congress of the United States through the Legislature for relief from our burdens or troubles—a right sacredly guaranteed to American citizens by the Constitution of the United States—by disapproving such a memorial and refusing his affirmation of it. And this tyranny is the more serious because the signature of the aforesaid Governor was refused on that memorial because its object was to request Congress to modify a despotic power known only to tyrants, although rarely exercised by them. That is: to obtain from Congress such amendment to the Organic Act of this Territory that Governor Mitchell cannot deprive or despoil it through the unlimited power of the veto; thereby placing the free and loyal people of this Terirtory, through their Legislature, not on an equal basis with the majority, but with all of the territories in the Union: to take from the Governor that power which allows him when he so desires to demolish the entire legislation of this Territory, even though all the acts that were passed were by a majority of the voting members of the Legislative Assembly. No patriotic man, no man who is not totally imbued with the spirit of oppression and Executive tyranny can desire that so much power rest in his hands as he of whom this

Legislature complains in the Memorial requesting his removal. No man who respects the people of whom he has Executive command would want such power, and, therefore, we conclude that he who does not desire this power is fit to govern a free people, and he who desires it is neither fit nor capable to govern.

Your commission, therefore, has resolutely come to the following conclusions: That the official career of Governor Robert B. Mitchell has been so offensive and illegal in many of its facets as to make him, among the masses of the people, almost an object of aversion instead of their true friend. And that the time has entirely gone by when his power for good existed among our people, when the occupation of the Executive Chair can be considered an imposition upon our people, those who ignore any crime by him should be punished. Therefore your commission respectfully submits the following Joint Resolution.

Resolved

That the exercise of an unauthorized and undelegated power, by the illegal acts of the unwarranted assumption of legislative prerogatives, and by the attempt to deprive the people of New Mexico, of the right to appeal through their Legislature to the Congress of the United States for relief from their afflictions; Governor Robert B. Mitchell has made himself unworthy of the Executive Chair of this Territory, and this Legislative Assembly respectfully but indefatigably urges upon the President of the United States, the early, if not immediate, removal of the Governor of New Mexico.

Resolved that the Secretary of this Territory be respectfully directed to transmit a copy of the above said report and Resolution, attested with the territorial seal, to his Excellency the President of the United States, to the Secretary of State, to the president of the commission on territories of the respective houses of Congress, and that a copy be sent to the presiding officers in both houses of Congress.

In the days that followed, the Legislature dug more deeply into many of the points covered in the Mitchell removal resolution. On January 17, 1868, the Legislature appointed a joint commission to look into the frauds committed in the September 2, 1867, election. The report of this committee was accepted by the House on January 27 and by the Council January 28. It first summarized the situation, " . . . Two candidates contested before the people in the last election for the position of Congressional Delegate

from this Territory; one of them was Mr. Charles P. Clever [Democrat], the other Colonel Jose Francisco Chavez [Republican]. The controversy was animated in the extreme, both parties doing all they could to assure the success of their respective candidates. As is not unusual in such cases, the frauds committed were attributable to both sides. . . ."[12]

The committee reported that examination of the actual election returns showed "that many of the serious frauds being complained of were committed and that [they were] of such character as to actually endanger the validity of the election. . . ." The people of the Territory were being represented in Congress "by a person having a minority of votes cast rather than a majority." This representative was, of course, Charles P. Clever, the Democrat whose election certificate Governor Mitchell signed over the objections of the Secretary of the Territory, Herman H. Heath,[13] who was the person legally empowered to issue certificates of election to Delegates to Congress,[14] in spite of the fact, as stated in the Mitchell removal resolution, that an election contest for this seat was in progress.

The report gives a detailed analysis of votes from the counties in which the commission believed frauds had been perpetrated by the Democrats. Although, aside from the vague reference to frauds on both sides, it makes no mention of what the Republicans undoubtedly did, it reveals the blatant methods used by territorial politicians to "elect" their candidates.

The committee charged that there were fifteen precincts in Rio Arriba County, the last numbered sixteen, there being no number fifteen. The poll books and ballots from Precinct 14, thought to have been a Chavez precinct, had disappeared. In Precinct 16 (Tierra Amarilla) there had been 37 votes in 1866. In 1867, there was a total of 464 for Delegate (452 for Clever, 12 for Chavez), 364 for representatives to the Legislature, but only 75 for justices of the peace and 41 for constables. Since the names of the candidates were all printed on the same ballot, this wide difference in number of votes cast for major and minor offices seemed strange,

and the committee felt the total legal vote cast was 75—Chavez trailing with 12 votes to 62 for Clever.

The report charged that the election returns from Mora County had been transmitted from the various precincts to the Territorial Secretary illegally, through the hands of Clever partisans from Fort Union, rather than by especial messenger of the probate judge, as was required by law. They claimed to have convincing proof that the returns of at least some of those precincts had been altered. The returns from Precinct 11 (La Junta) indicated a larger number of votes returned than were actually cast. The report continued that, excluding the military reservation of Fort Union, this was a small precinct of from two to five hundred voters. From what the committee could discover, it appeared that government carts and wagons driven by government employees were used all election day to take voters from Fort Union to the voting precincts. The poll book of Precinct 11 was a simple list of names with nothing to indicate its purpose—not even the names of the candidates for whom the people on the list professed to have voted. Only on the certificates of the election officials did the candidates' names appear—and the handwriting and ink on these certificates was entirely different from that with which the list was written.

In 1865, the report continued, the vote in Precinct 11 was 353. In 1867 it increased to 643; there was no special cause for such an increase. 643 votes were cast for Delegate, but only 514 for minor officials. One of the election judges from that precinct asserted there were only 543 or 544 votes cast for Delegate. Of the 643 votes reported, 638 were for Clever, and only five for Chavez. The committee found this quite remarkable, since the justices of the peace and constables on the Chavez ticket had each received 68 votes. It was obvious to the commission that some one hundred votes, or the names of a hundred persons, real or imaginary, had been added to the poll book as having voted for Mr. Clever, and it appeared that many nonresidents from passing freight wagons and the military post had voted illegally.

The report next covered Precinct 12 (Santa Clara), Mora County. This precinct had been established only a year before the election in question. In the first election held there, only 35 ballots were cast. In the election of 1867, this precinct reported 209 votes for Delegate—190 for Charles P. Clever and 19 for Francisco Chavez. "Such a considerable difference in the vote in the short period of little more than four months certainly leads one to the conviction that this difference is not legitimate, for no earthly reason existed for any considerable gain, any gain, in population in that precinct . . . " The committee stated that there was evidence that a large number of fictitious names had been added to the poll book, that informed people acquainted with the population of that precinct and with the names of most of the residents there declared that there were no more than 45-50 residents among the 209 names listed. The number of votes cast for justice of the peace and constable was only 67—a difference of 142 votes. Legally there were only twelve precincts in Mora County, but voting took place in a thirteenth. In Precinct 13, established by the Governor himself, or with his permission, there were 77 votes— 60 for Clever, 17 for Chavez.

According to the report, similar frauds were committed in Socorro County, where Governor Mitchell had established two precincts, and in Rio Arriba County. But the method used in Doña Ana County appears to have varied somewhat. In that county, Probate Judge Lemon, who, the committee states, was himself a candidate for re-election, crossed off the poll books (in red ink) enough Republican votes to change Chavez' majority of 140 votes to a minority of 144. When Secretary Heath declared these votes legal and added them to the Doña Ana County totals, Chavez recouped his majority and W. L. Rynerson won the Council seat instead of Democrat Samuel J. Jones.

The report upholds Secretary Heath's vote count and concludes:

> . . . Your Commission, therefore, after having made a complete and dispassionate investigation of the last Election and the frauds and irregularities committed in the same, can only arrive at the conclusion that Colonel Jose Francisco Chavez was duly elected on

> September 2nd last as Delegate to the 40th Congress instead of C. P. Clever, the former having received a majority of the votes cast, and the latter a minority of those cast, and we respectfully submit the following manifest of what we find to be the true count of the votes in the respective counties of the Territory; even counting the uncontested votes returned in Mora County for Mr. Clever, which, in our opinion, should have been, as previously shown, discounted in the examination.[15]

The manifest referred to above lists the re-count of votes by counties, and gives the final totals as 8,787 for Chavez and 7,495 for Clever—giving Francisco Chavez a majority of 1,292. Almost a year later, February 16, 1869, the Santa Fe weekly *New Mexican* published a telegram from J. Francisco Chavez in Washington, D.C. "[Congressional] Committee reported *unanimously* for me; will have my seat Saturday."

The Legislature had not yet approved the election frauds report when they appointed a special commission headed by Senator W. L. Rynerson, who had just been released from jail on $20,000 bond to appear for trial for the murder of Judge Slough,[16] to investigate "certain papers called Territorial reports." The committee's report, dated January 27, 1868, is bitterly critical of Governor Mitchell's replacement of acting Governor W. F. M. Arny's appointments to office during Mitchell's absence in Washington.

None of the officials submitting the reports, the commission found, were the ones confirmed by the Legislature of 1866. Even had the men been nominated in the proper and legal manner, the Legislature had been in session some fifty-four days, and Governor Mitchell had not yet submitted their names for confirmation "without which no territorial official can have a legal existence." These officials had been illegally appointed by Governor Mitchell "without one iota of authority in the law, purely to satisfy the ambition of his political friends; and to have persons at his side whom he can govern according to his desires, and who go along with his political views."

The commission refused to recognize territorial officials appointed "by the usurped, unguaranteed, and illegal authority of

Gov. R. B. Mitchell, who believes himself superior to the laws of this country, and to the guarantees that the Federal Government concedes to all free men; who pretends to be the reformer of New Mexico . . . ;" the man who deserted his executive seat for his personal speculative and promotional projects, etc.[17]

Governor Mitchell had not presented the names of his appointees to territorial office to the Council for approval. On the contrary, on January 17, 1868, he addressed a message to Antonio Sandoval, President of the Council, reinforcing his stand in removing Secretary Arny's officials and reappointing others with a letter, which he enclosed with his own, from Henry Stanbery, Attorney General of the United States, to Secretary of State William Seward dated March 12, 1867, " . . . I am of the opinion that Mr. Arny is not legally competent to discharge the duties of Secretary of the Territory of New Mexico; or to discharge the duties of Governor in the absence of the Governor. His term as Secretary was limited to four years, and it appears from the facts presented to me that his term of office began in February 1863, and, consequently, ended in the month of February 1867. In the case of the Secretary, the law does not provide for the extension of his term until the appointment and qualification of his successor as it does in the case of the Governor . . ."[18]

Mitchell discusses the Attorney General's letter at length, and reiterating his opinion that his removal of Arny's officials had been in the best public interest. He then states, "I am compeled [*sic*] to say—with due respect to the wishes of your honorable body that you must permit me to select the time most convenient for myself, to send to your honorable body, such names of competent gentlemen, to fill the Territorial offices as I may deem fit and appropriate. I will assure your honorable body, however, that before your final adjournment, I will endeavor to perform that important official duty, in accordance with the laws governing such cases."[19]

The Council Journal, January 23, 1868, records the opinion of the Judiciary Committee on the Mitchell and Stanbery letters—Secretary Arny had made the appointments to territorial office in

December 1866; therefore, the statement in United States Attorney General Stanbery's opinion that Arny's term ended in February 1867 was final proof that Secretary Arny was still legally empowered to act at the time he made the appointments.

On January 30, 1868, the House and Council took a parting slap at the Governor by passing a joint resolution "that all the laws not approved by his Excellency Governor Robt. B. Mitchell before the final adjournment of the Legislative Assembly, be sent to the Congress of the United States for approval. . . ."[20]

On August 11, 1868, the Santa Fe weekly *New Mexican* triumphantly announced that the legislative memorial limiting the Governor's veto had passed Congress. Six months later, February 9, 1869, the Santa Fe *Daily New Mexican* carried a short notice: "Governor Mitchell having left the Territory without leave of absence, thereby abandoning the Gubernatorial chair, Gen'l Heath becomes, under the law, acting Governor of the Territory. Mitchell left here on the 4th instant, in a two-wheeled coach, for the States— it is supposed."[21]

NOTES

1. Ralph Emerson Twitchell, *Leading Facts of New Mexico History* (reprinted, Albuquerque, 1963) Vol. 2, pp. 410-11, n.336.

2. Santa Fe weekly *New Mexican* February 16-August 11, 1866, *passim.*

3. In Paper of the Territorial Secretary, Legislative Assembly Papers. State Records Center and Archives, Santa Fe (cited hereinafter as SRC), and Zimmerman Library, University of New Mexico. Translated here from a Spanish translation. Dr. Myra Ellen Jenkins, Senior Archivist of the State Records Center, states that the official copy of the Assembly papers was the one kept by the Secretary of the Territory, now at the Records Center. A duplicate handwritten copy having the signatures of officials of the respective legislative houses is in the Zimmerman Library. The

records of the Legislature of 1867-68 were in Spanish originally (W. L. Rynerson was the only Anglo in the Council, and there were only one or two Anglos in the House). Material from Governor Mitchell, who did not write Spanish, was translated for the benefit of the legislators. Translations used in this study have been prepared by the writer.

4. Diario del Consejo Legislativo, 1865-70, p. 246, SRC, Translation. Also Santa Fe weekly *Gazette,* December 7, 1867.

5. Edward L. Bartlett, Charles W. Greene, and Santiago Valdez, Commissioners, *Compiled Laws of New Mexico 1884* (Santa Fe, 1885) p. 570, pars. 1147-48, p. 572, pars. 1153, 1155. The above paragraphs refer back to *Compiled Laws of New Mexico 1865,* ch. 63, pars. 27-8, 32, 34.

6. Diario, pp. 244, 256.

7. *Ibid.*, pp. 274-75.

8. Assembly Papers.

9. San Miguel County Docket Book, 1866-68, case no. 159, Territory of New Mexico vs. William L. Rynerson.

10. Diario, pp. 307-09. Translation.

11. Assembly Papers. Translation.

12. *Ibid.* Translation.

13. Executive Records, vol. 2, p. 2, SRC, September 20th 1867. "The Governor this day issued a certificate of election to C. P. Clever, Esq. as Delegate elect to Congress from this Territory [to this certificate the Secretary protested]." The square brackets above were used in the original text of this quote.

14. *Compiled Laws of New Mexico 1884,* p. 572, par. 1153 referring back to *Compiled Laws 1865,* p. 63, par. 32.

15. Legislative Assembly Papers. Translation.

16. Santa Fe weekly *Gazette,* January 25, 1868.

17. Legislative Assembly Papers. Translation.

18. *Ibid.* The copy of this letter in the Assembly Papers is in Spanish, but obviously is a translation from the original English.

19. *Ibid.* This is the only paper from which I have taken a direct quote in English.

20. *Ibid.* Translation.

21. Executive Records, vol. 2, p. 29, February 5, 1869. "Governor Robert B. Mitchell having left the Territory under a leave of absence for sixty days, commencing Dec. 11th 1868, and ending Feb'y 11th 1869 within seven days of expiration of said leave. I hereby assume the executive duties in this Territory. H. H. Heath."

THE RATON COAL FIELD AN EVOLVING LANDSCAPE

RICHARD H. KESEL

SOME of the finest bituminous coking coal in the Western United States is found in Northeastern New Mexico and Southeastern Colorado. The entire coal field occupies approximately two thousand square miles in Huerfano and Las Animas Counties, Colorado, and Colfax County, New Mexico. Here we are concerned with the vital role that the New Mexico portion, locally known as the Raton coal field, has played in the economic history of the region. (Figure 1). The rise and decline of the coal industry during four periods: before 1879, from 1879 to 1917, from 1917 to 1953, and 1953 to the present, is reflected in population and general economic vitality.

Similar to the rest of northeastern New Mexico in its physiography and population, Colfax County closely resembles the northern coal bed area centering around Trinidad, Colorado. A series of communities grew up within thirty-five miles of Raton. Since the exploitation of coal was the sole reason for their existence, total economic conditions and population fluctuated with the market. A comparison of population and coal production trends at Dawson, the largest of the mining communities, demonstrates the major role of coal (Figure 2). The outflow of population, the disappearance of large settlements, and the economic deterioration of Colfax County is directly attributable to the decline of a once highly productive industry.[1]

BEFORE 1879

BEFORE the coming of the Atchison, Topeka, and Santa Fe Railroad in 1879, coal was of little importance in the economy of the Raton area. This region had been the home of the Ute and Jicarilla Indians. Because of the abundance of wildlife, it is possible that Navajo and Kiowa Indians made hunting trips through the area.[2] There is no evidence that any of these Indians, or the Pueblo Indians further west at Taos, New Mexico, made use of coal in their daily living.

Although coal was known to exist, little was done to develop mining under the Spanish and Mexican regimes. In 1841, most of the coal field, except for a few acres to the east of Raton, was granted to Guadalupe Miranda and Carlos Beaubien by Governor Manuel Armijo. This grant later fell into the hands of Lucien B. Maxwell who married Beaubien's daughter in 1844.[3] Maxwell may have been aware that the coal existed, and may even have used it to heat his mansion, but there is no record of his having developed it for commercial purposes. Although wood stoves were still in general use in the county in 1887, John B. Dawson used the coal found on his twenty thousand acre ranch, which he had bought in 1869 (Figure 3), for both heating and cooking.

Sheep and cattle raising predominated in Colfax County before the commercial development of its coal resources, although gold mining was carried on around Elizabethtown in the late 1860's and early 1870's[4] (Figure 3). After the Civil War, settlers from Texas came in, bringing with them the herds of cattle which were to make livestock raising the principal industry.[5] From the 1820's on, settlers, freight, and stage lines moved through Raton Pass over a branch of the Old Santa Fe trail. In the 1860's the Goodnight-Loving cattle trail to Cheyenne, Wyoming, was blazed in order to take cattle from New Mexico and Texas to the railroads of the north.[6]

The village of Clifton House, founded in the 1870's as a meeting place for the cattlemen and people of northeastern New Mexico, and the town of Cimarron were the only sizeable settlements

in the eastern half of the county. The origin of Cimarron is obscure, although it was definitely associated with the Old Santa Fe trail. Lucien Maxwell built his palatial home and headquarters there, and the town itself was also a gathering place for the gold miners of the Sangre de Cristo mountains to the west and the cattlemen from the surrounding countryside.

A study of population composition at this time shows that thirteen per cent of the county's inhabitants were of foreign birth, most of them living around Elizabethtown. The population in the Raton Mesa area was composed of Spanish-American, Mexican, and Anglo-American settlers from various sections of the United States, most of the Americans coming from Texas. Foreign migration to this region was slight until the railroad opened the coal deposits to development, increasing the demand for labor in the mines and on the railroads.

Probably the chief reasons for the lack of mining development in the Raton coal field before 1880 were the presence of hostile Indians, the long distance to markets, and the absence of low-cost transportation.[7]

1879 - 1917

The Atchison, Topeka, and Santa Fe advanced its track from Trinidad, Colorado, south into New Mexico in November 1878, and the first engine crossed Raton Pass in December.[8] Not long after this, the railroad officials formed the New Mexico Townsite Company, to buy 320 acres of land from the Maxwell Land Grant Company on which to build the town of Raton. By 1881 a roundhouse, machine shop, and other necessary buildings had been erected. The years 1879-1881 were a time of great expansion for the town, which increased from twenty to two hundred dwellings.

Early in 1880, the Atchison, Topeka, and Santa Fe started mining operations in the Dillon Canyon area west of Raton. By December, the railroad and the Maxwell Land Grant Company had organized the Raton Coal and Coke Company to exploit these de-

posits. Each Company owned fifty per cent of the coal firm and the railroad was the sole consumer.[9] (Figure 4)

In the same year the Raton Coal and Coke Company established the town of Blossburg, in order to have the necessary labor supply at hand. Within two years a railroad spur connected Dillon, New Mexico, and Blossburg (Figure 5).[10] By offering free rail passage from Kansas City, Kansas, to Raton, the Santa Fe had been able to persuade Pennsylvania coal miners, many of foreign birth, to come to the western coal fields. These miners even brought with them the name of the camp, a carry-over from Blossburg, Pennsylvania. With the influx of laborers, camps and towns had to be built to house them, and by 1910, eight such communities were in existence. (Figure 6)

The year 1905 saw major changes in the ownership of the various mining properties. All properties, land, and coal rights of the Raton Coal and Coke Company, totaling 520,325 acres, were transferred to the St. Louis, Rocky Mountain, and Pacific Company, a corporation formed by a group of St. Louis businessmen to exploit the resources of the Raton field. The Dawson property was acquired by the Phelps Dodge Company as a source of fuel for its copper smelters in Arizona and New Mexico. These two large companies may be considered the most significant factors in the economic development of the Raton area during this period.

The decade between 1910 and 1920 was marked by the highest production in the history of the Raton field. Simultaneously, railroads, population, and economic prosperity reached their peak. The increase in railway mileage after 1900 is well illustrated by a comparison of Figures 5 and 6.

The expansion of coal wealth drew many newcomers to Colfax County. The population increase between 1880 and 1890 had been 135 per cent, as compared to 71 per cent in the previous decade. The percentage of foreign-born had increased even more rapidly—343 per cent during this decade, although there had been a decline during the previous ten years.[11] Showing a continuous increase during the peak production period before 1920, the foreign population reached 30 per cent of the total population in 1910.

Outside of Raton, 50 per cent of the population was of foreign origin and was concentrated chiefly in mining towns. The turn of the century saw a shift in the pattern of immigration. In contrast to the earlier predominance of British miners, the majority were now Italians, with Austrians and Slavs in second place.

The income from the mines led to the rapid growth of the number of stores, saloons, newspapers, and professional people doing business in Raton (Figure 7). In the total tax value for New Mexico (Figure 8) during this zenith period, Colfax County accounted for over eighty per cent; currently it is credited with less than two per cent.

1917 - 1953

THE PERIOD from 1917 to 1953 was characterized by a continuous decline in coal production, except for a short period during World War II. The amount of railroad traffic to the mining towns decreased along with coal production. By 1953, only the main line of the Santa Fe railroad carried traffic, and coal was no longer a conspicuous item in the long freight trains.

Between 1915 and 1920, the copper smelters began to change to a reverberatory type oven using fuel oil rather than coke, and by 1920, the coke ovens of the Raton field were idle. The first diesel-burning locomotives crossed the Raton Pass in 1937, signaling a sharp decline in the market for coal, although sales to railroads did not stop completely. The domestic and industrial markets in the territory were soon encircled and crosscut by natural gas pipe lines, displacing a large quantity of coal from the fuel market. The mining companies tried to increase production, and at the same time cut expenses by increased mechanization. By 1947, handmining and use of animal haulage had been entirely discontinued in all the mines of the Raton field.[12]

During World War II fuel shortages resulted in renewed need for coal, and kept the mines open. Government installations throughout the Southwest used Raton coal, as did the railroads when they were unable to obtain diesel or diesel equipment. After

the war, railroad use again declined and steel works in the western United States, especially the Colorado Fuel and Iron Company at Pueblo, Colorado, became the most important consumers. From World War II to 1953, the C. F. & I. used 75 to 80 per cent of the coal produced by the St. Louis, Rocky Mountain, and Pacific Company. When in 1953, the C. F. & I. decided to open its own mines in the Trinidad coal field of Colorado, the last market for Raton coal disappeared. Mining operations in the Raton field ceased. In 1954 the state mine inspector referred to coal mining as a dead industry and his office stopped compiling figures for the area.[13]

The population decline in Colfax County, which began in 1920, has continued to the present (Table 1). The great majority of the miners were forced to move to other areas in search of work. Most of those who remained, at least up until 1956, had no steady employment after the mines closed.[14]

The decline in the percentage of foreign-born, from 30 per cent of the total county population in 1910, to less than 5 per cent in 1950, can hardly be entirely accounted for by the change in generations. Many foreign workers moved to other areas. Nevertheless, most of those who remained in the county were Italians, plus some Slavs, Austrians, Greeks, and a few Mexicans—much the same as in 1910.

1953 TO THE PRESENT

Slowly the mining towns in the Raton coal field deteriorated. In many cases only the foundations of the buildings survive, as relics of a bygone era. With the closing of the mines, the railroad withdrew the extra crews and repair shops needed to service the four or six locomotives used to pull the heavy freight trains over the pass, thus causing further unemployment. The county residents were forced to depend upon ranching, trade, and service enterprises for livelihood (Table 2), and the job opportunities and rates of pay in Colfax County have been as low as those in any community in

the nation.[15] The outflow of people has continued, taking with it the most capable, the most able and the most aggressive.[16]

A new impetus was given to the economy of the Raton area in August 1955, when the Kaiser Steel Company of Oakland, California, bought the entire St. Louis, Rocky Mountain, and Pacific Company holdings for $2,855,400 plus interest.[17] The total purchase amounted to 202,853 acres on which the company owns only the coal rights (Plate 9).[18]

The resumption of mining activity has not been reflected in the total population of Raton and Colfax County. On the contrary, the figures for the period from 1950 to 1960 show a decrease of 18 per cent, the largest percentage of decline in the history of the field. For the first time in its history, the city of Raton shows a decline of one per cent. On the other hand, the number of foreign-born has increased by 100 per cent in this period and now comprises 12 per cent of the total population of the county; it had dropped to 4.9 per cent in 1950 (Table 3). None of these workers now live at the mining sites as they did in the past, but most commute to work by car from Raton. Some also live in Springer, Maxwell, and other small villages surrounding the area.

TABLE 1

Population Statistics of Raton and Colfax County, 1880 to 1960

Decade	*Raton*	*Colfax County*	*Percentage change from preceding decade*		*Percentage change in foreign population in Colfax County*	*Foreign population as a percentage of the total County Population*
			Raton	*Colfax County*		
1880	400	3,398		71	–5	.7
1890	1,255	7,974	214	135	343	14.1
1900	3,540	10,150	182	27	–13	9.7
1910	4,539	16,460	28	62	391	29.4
1920	5,544	21,550	22	31	–30	15.7
1930	6,090	19,157	10	–11	–54	8.2
1940	7,607	18,718	25	–2	–14	7.2

TABLE 2

INDUSTRIAL COMPOSITION OF EMPLOYMENT BY PERCENTAGE FOR COLFAX COUNTY, 1950 TO 1962

TYPE	*1950*	*1951*	*1952*	*1953*	*1954*	*1955*	*1956*	*1957*	*1958*	*1959*	*1960*	*1961*	*1962*
Mining	22.9	21.8	25.8	19.2	4.7	3.7	3.2	4.5	4.9	5.3	5.7	7.6	6.4
Construction	9.5	11.0	8.7	10.8	12.5	9.0	4.8	6.1	6.3	7.8	9.0	9.4	10.6
Manufacturing	10.0	10.4	8.3	10.1	14.9	21.9	23.2	24.4	23.2	22.0	20.9	19.8	18.9
Transportation	6.5	7.1	8.2	8.4	9.1	8.6	8.6	10.4	10.2	9.1	8.2	6.7	7.1
Trade	30.6	29.9	29.9	30.2	34.2	33.0	33.4	29.0	30.4	30.0	39.8	30.3	30.3
Finance	3.1	3.0	3.2	2.9	3.6	3.6	4.6	4.5	4.4	4.6	4.8	5.1	5.2
Service	16.4	15.9	16.4	18.1	21.0	19.5	21.4	20.6	20.3	20.6	20.9	20.6	20.7
Not Classed Elsewhere	1.0	.9	.3	.3	0	.7	.8	.5	.3	.6	.7	.5	.8

Source: Reports of the Employment Security Commission of New Mexico

TABLE 3

Decade	*Raton*	*Colfax County*	*Percentage change from preceding decade* Raton	*Percentage change from preceding decade* Colfax County	*Percentage change in foreign population in Colfax County*	*Foreign population as a percentage of the total County Population*
1950	8,241	16,761	8	–10	–39	4.9
1960	8,146	13,806	–1	–18	100	12.0

Source: U.S. Census of Population

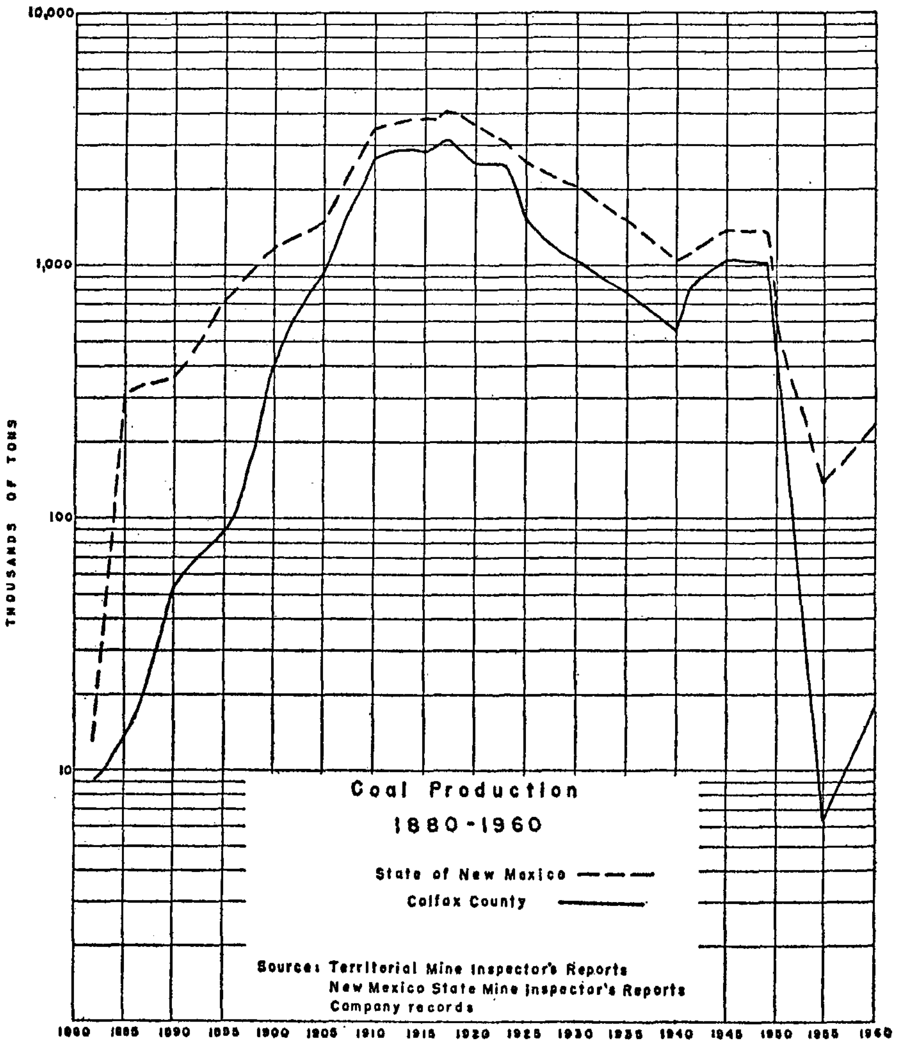


FIGURE 1

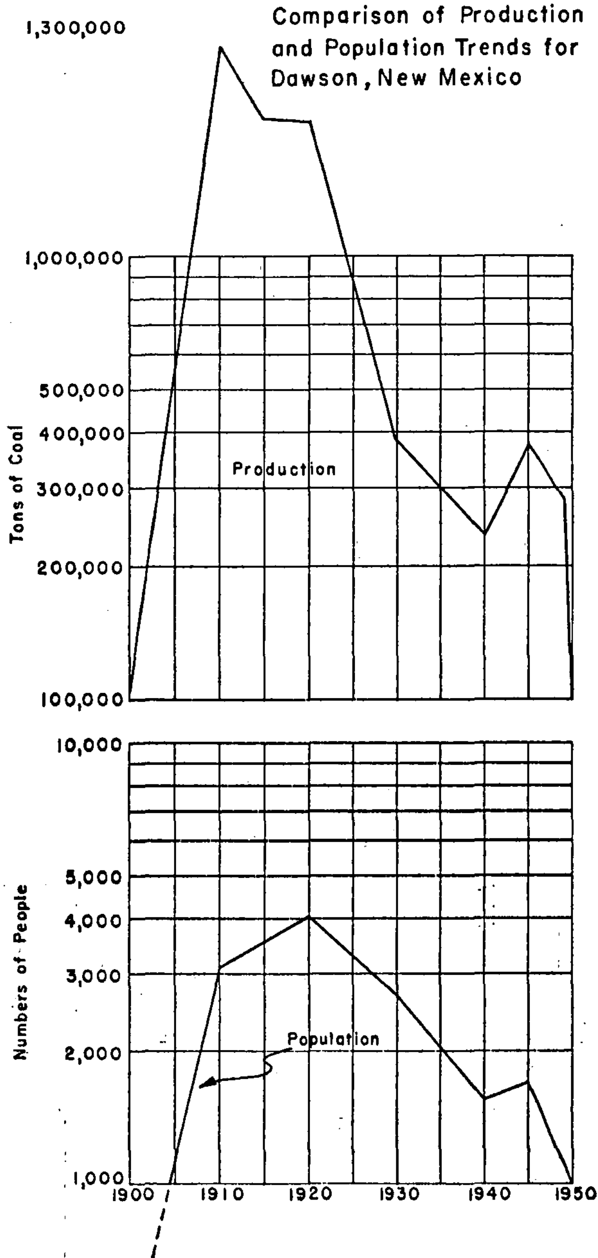


FIGURE 2

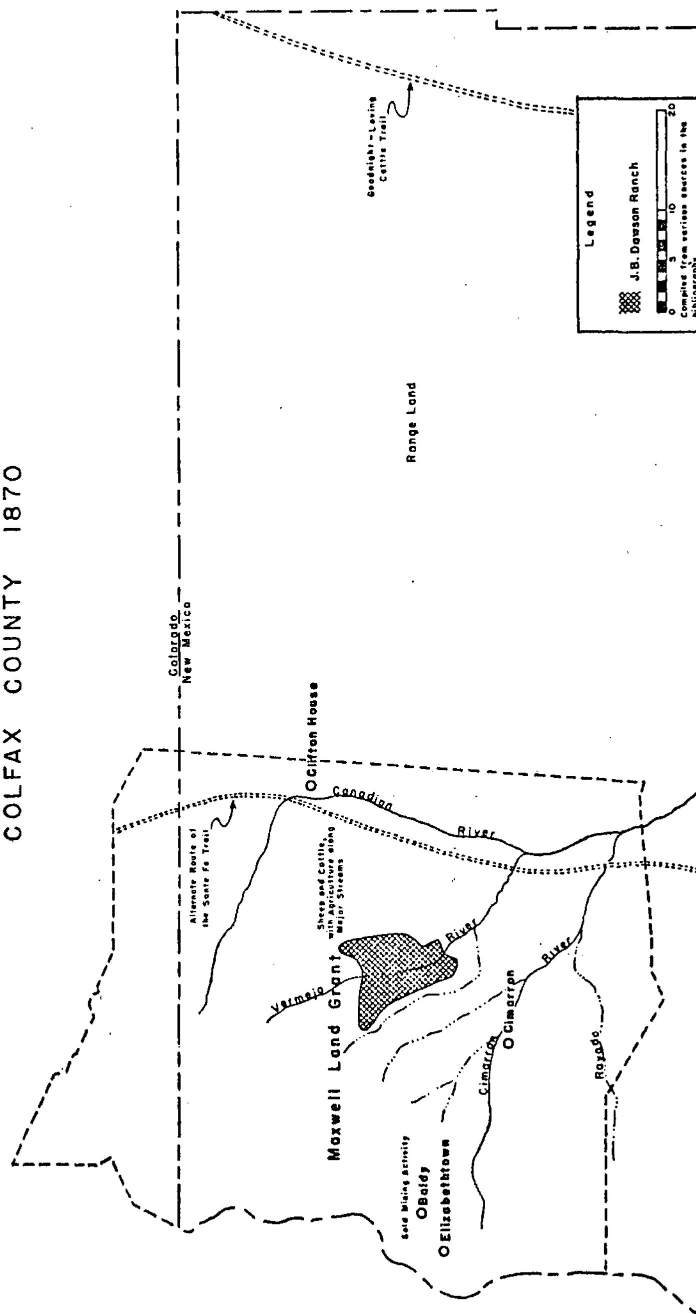
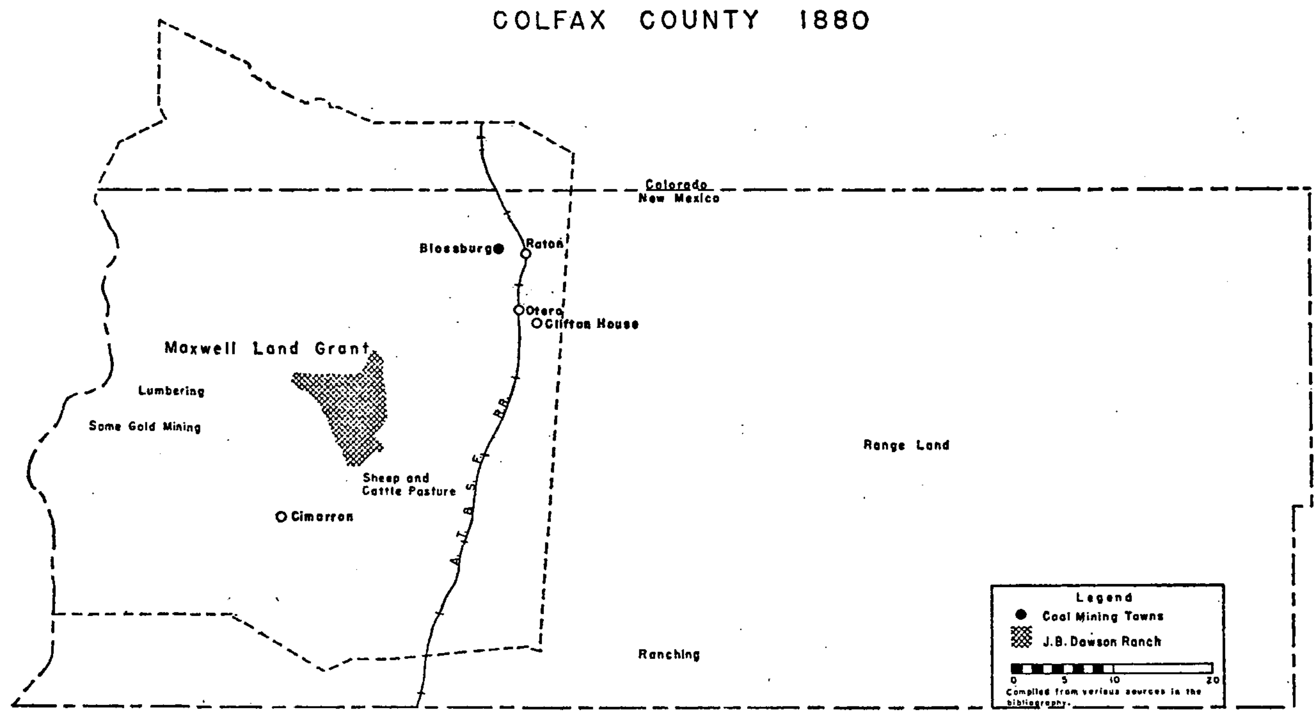


FIGURE 3



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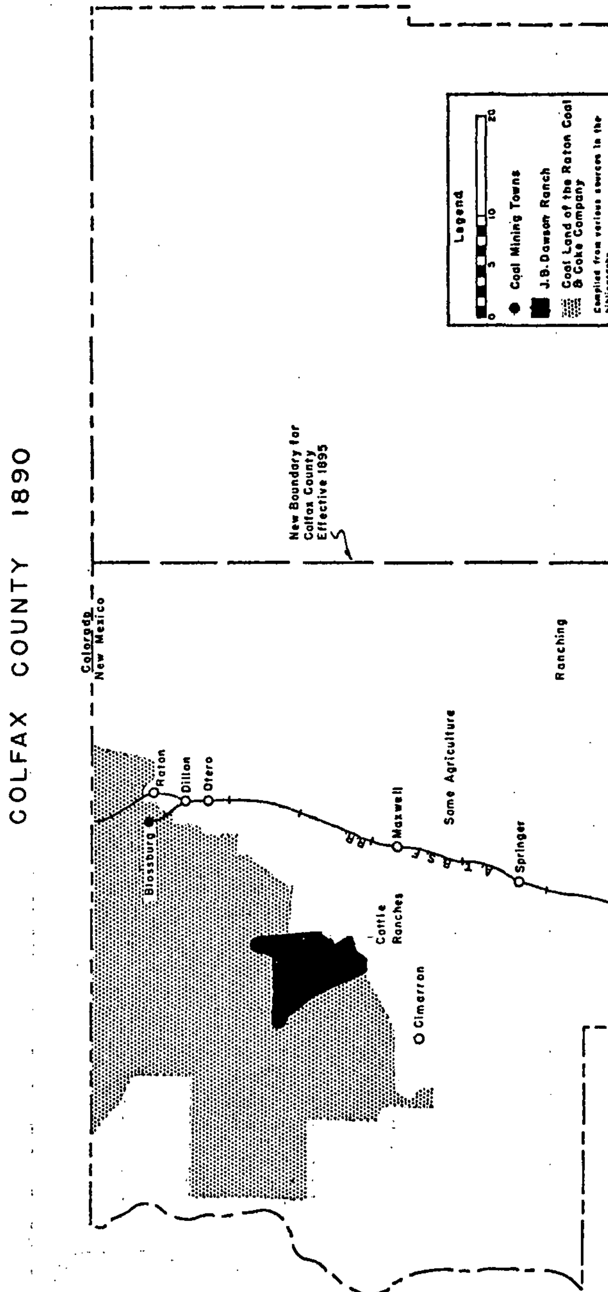
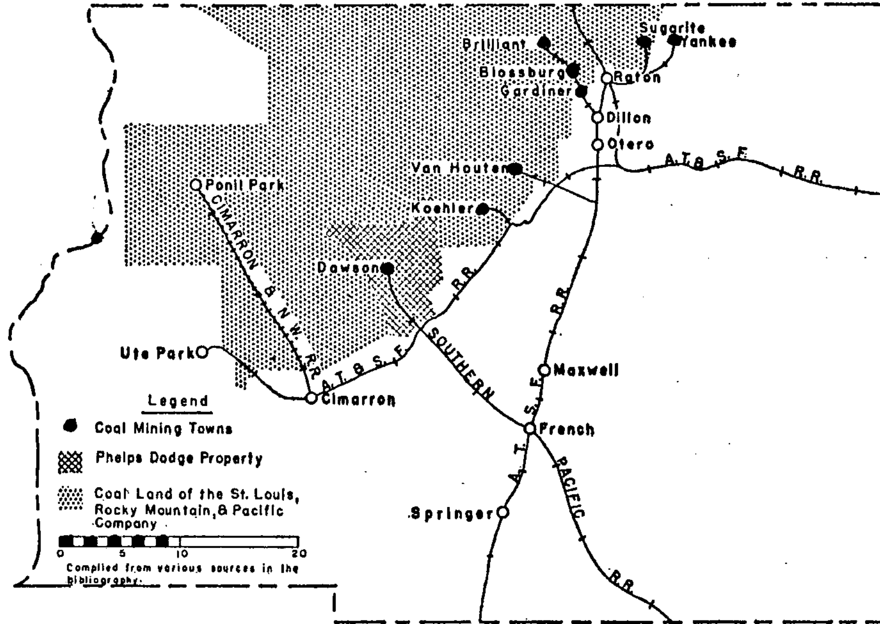


FIGURE 5



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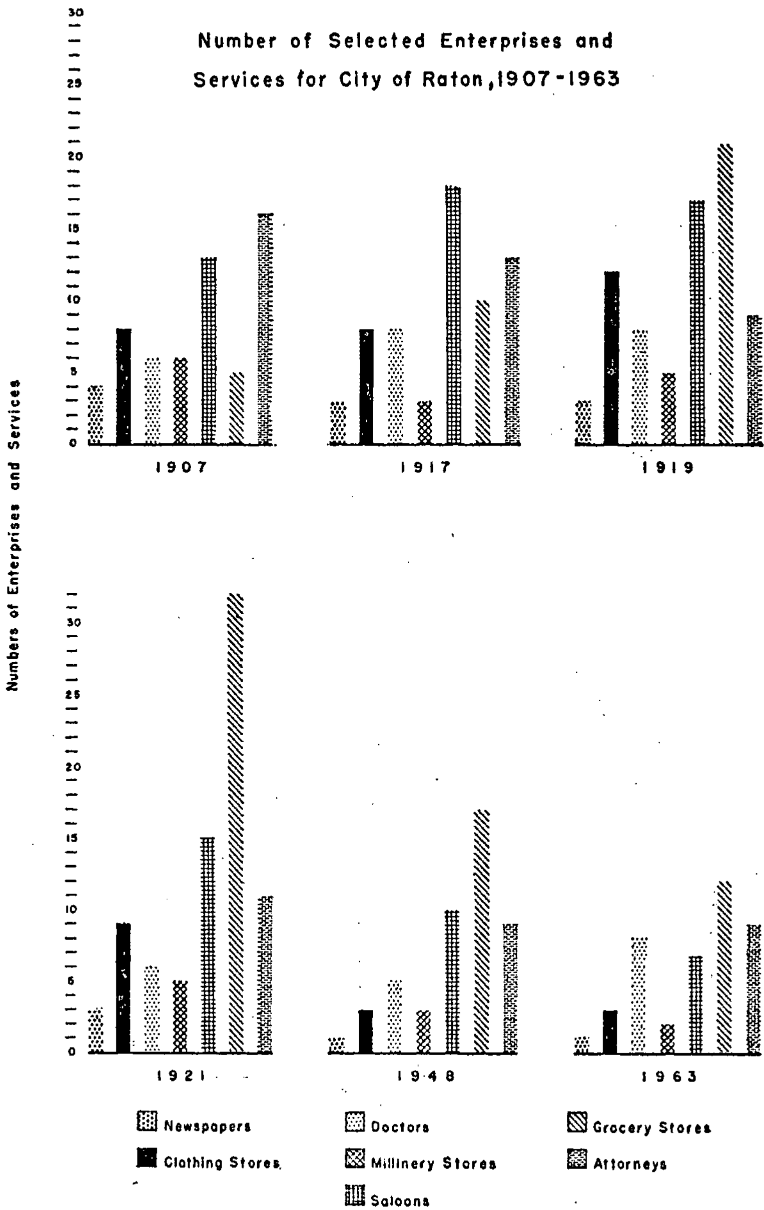

FIGURE 7

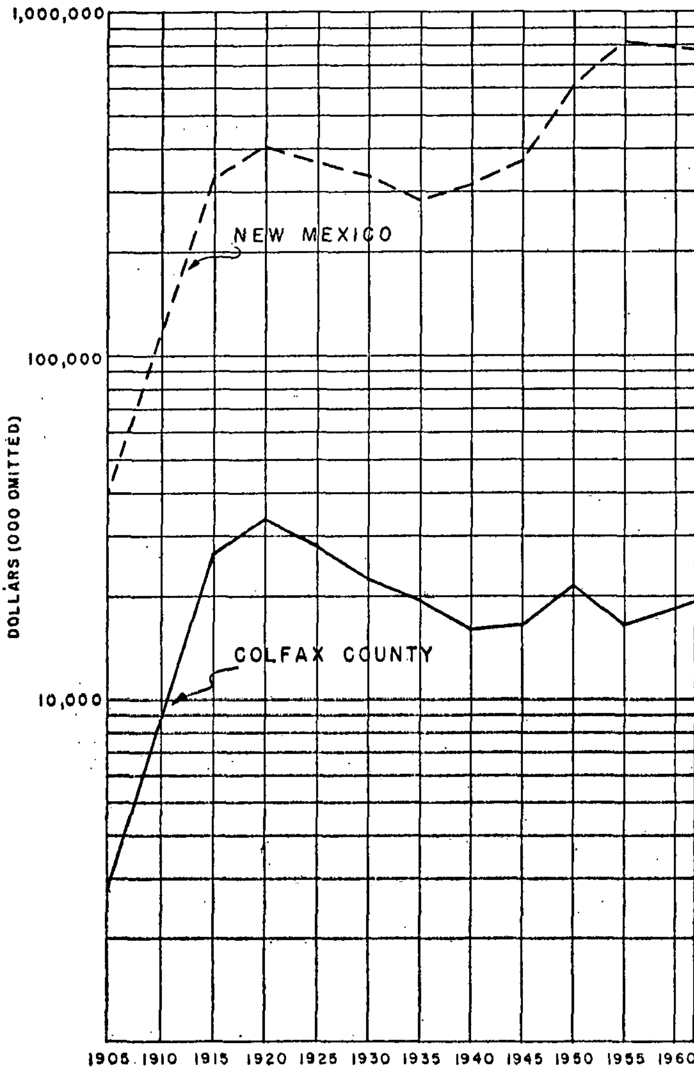

FIGURE 8

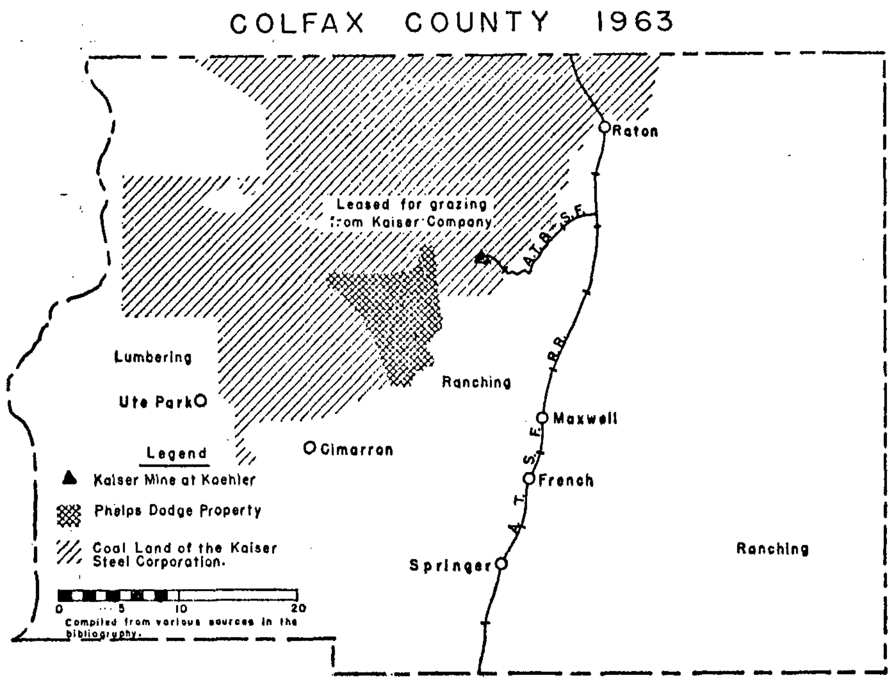

FIGURE 9

NOTES

1. The approach used here is the "cross-section" method, in which the historical geographer makes use of historical data, but employs geographical methods to present it. This method cuts through time at various periods in the past and attempts to reconstruct the significant features and patterns of the coal-mining landscape in the Raton area, the objective being a better understanding of present problems. Studies of this kind are useful for comparison with other areas whose economic development is dominated by a single resource.

2. Findings of the Armstrong excavations at the Burch Museum in Raton, New Mexico.

3. Jim Barry Pearson, *The Maxwell Land Grant* (Norman, 1961), pp. 3-7.

4. William A. Keleher, *Maxwell Land Grant* (Santa Fe, 1942), p. 29.

5. Kenneth Fordyce, *Northern New Mexico in 1870* (Unpublished manuscript on file, New Mexico State Historical Museum, Santa Fe, New Mexico), p. 1.

6. E. B. Mann and F. E. Harvey, *New Mexico Land of Enchantment* (East Lansing, 1955), p. 235.

7. W. S. Speer, *Encyclopedia of the New West* (Texas: U.S. Biographical Publishing Co., 1881), p. 3.

8. Jim F. Heath, *A Study of the Influence of the Atchison, Topeka, and Santa Fe Railroad Upon the Economy of New Mexico, 1878 to 1900* (Unpublished Master's Thesis, University of New Mexico, Albuquerque, 1955), p. 33.

9. From the historical file, Kaiser Steel Co., Koehler, New Mexico.

10. William S. Greever, "Railroad Development in the Southwest," NMHR, vol. 32 (1957), p. 179.

11. Most of the immigrants who came to the coal field during the early 1900's had come directly from abroad or had been in this country a very short time. This is obvious from various publications of the mining companies concerning the problem of Americanizing these people. An example is a pamphlet written by H. W. Kruse, Welfare Manager for the St. Louis, Rocky Mountain, and Pacific Company entitled *Americanizing an Industrial Center,* published about 1920.

12. Annual Stockholders Report of the St. Louis, Rocky Mountain, and Pacific Co., 1947, p. 5.

13. *Report of the State Mine Inspector to the Governor of the State of New Mexico,* 1954, p. 10.

14. Fred C. Barron, "The Employment Situation of Northeast New Mexico," Paper given at a conference on *What's Wrong with the Economy of Northeast New Mexico*, Las Vegas, New Mexico Highlands University, June 20-22, 1956, processed, p. 10.

15. Vincente T. Ximenes, "Income by County in New Mexico," *New Mexico Studies in Business and Economics* (Bureau of Business Research, University of New Mexico, Albuquerque, 1955), p. 20.

16. Barron, p. 8.

17. *Annual Stockholders Report of the St. Louis, Rocky Mountain, and Pacific Co.*, 1955, p. 4.

18. Ledgers of Colfax County Clerk, Raton, New Mexico.

Book Reviews

Ross, *Is the Mexican Revolution Dead?* by Lieuwen 252

Meriwether; Griffen, ed., *My Life in the Mountains and on the Plains,* by Reeve 253

Wallace, *Ranald S. Mackenzie on the Texas Frontier,* by Athearn 255

Wharfield; Carroll, ed., *With Scouts and Cavalry at Fort Apache,* by Schmitt 256

Parkhill, *The Blazed Trail of Antoine Leroux,* by Weber 257

Rael, *The Sources and Diffusion of the Mexican Shepherds' Plays,* by Cobos 258

Spiess, *A Mercedarian Antiphonary,* by Chavez 260

Sonnichsen, *Outlaw: Bill Mitchell alias Baldy Russell, His Life and Times,* by Bayard 260

Underhill, *Red Man's Religion: Beliefs and Practices of the Indians North of Mexico,* by Edmonson 261

Is THE MEXICAN REVOLUTION DEAD? By Stanley R. Ross. New York: Alfred A. Knopf, 1966. Pp. ix, 225. $2.50.

THIS BOOK is a valuable pedagogical tool. It is a selection of polemical essays concerning the contemporary vitality of the great Mexican Revolution. It is introduced, compiled, and edited by a recognized authority in the field of studies on the Mexican Revolution. Editor Stanley R. Ross, currently Chairman of the History Department and Acting Dean of the College of Arts and Sciences at the State University of New York at Stony Brook, has spent considerable time working with scholars at El Colegio de México in Mexico City, and thus he is thoroughly familiar with the main currents of past and contemporary thought concerning the Revolution.

The distinguished historians associated with the Colegio (Daniel Cosío Villegas, Moisés González Navarro, *et al.*) would seem to have answered Ross' query "Is the Revolution dead?" in the affirmative, for they have already begun to prepare a multi-volume history of the Revolution (*Historia Contemporánea de México*) and have placed the terminal date at 1940—the date which they consider the Mexican Revolution as an historical movement to have ended. Leftist authors in apparent agreement that the Revolution has ended are *Cuadernos Americanos* editor Jesús Silva Herzog and political analyst José R. Colín, who feel that the classic Thermidorean phase of the Revolution began a quarter century ago and that the Revolution will never be revived. Surprisingly, conservative historian and long-time opponent of the Revolution, Jorge Vera Estañol, comes to the same conclusion, but for different reasons. He believes the Revolution is dead because it has failed.

Yet there are those who maintain that the final verdict is not in yet. Old revolutionaries, like Antonio Díaz Soto y Gama and Heriberto Jara, insist that the Revolution is temporarily stalled and will ultimately fulfill its idealistic social goals. Similarly, labor leader Lombardo Toledano insists that the Revolution is now in Marx's classic bourgeois phase and will inevitably move on toward a proletarian triumph, though, contrary to

Marxian doctrine, by evolutionary means rather than through violence.

Spokesman for the ruling Institutional Revolutionary Party (PRI), such as Alberto Morales Jiménez and ex-President Adolfo López Mateos, insist that the Revolution is a vital and going concern, and spokesmen for Mexico's new industrial elite, such as economist Manuel Germán Parra, take a similar view.

An optimistic appraisal of the achievements of the Revolution is provided by historian Howard Cline, a pessimistic one by sociologist Pablo González Casanova, and noncommittal ones by Frank Brandenburg and by Ross himself. In sum, there is such rich interpretive fare in this book that the political and philosophical appetites of most any reader can be fully accommodated.

What is surprising is that despite the fact that the Mexican Revolution has so many unique characteristics of its own, Mexican and United States intellectuals still rely heavily on sociological concepts and categories drawn from the West European revolutionary experience—particularly from France and Russia. Similarly, they have all too often utilized the theory and methodology of European and Western bourgeois historians and of the Marxists to classify Mexico's problems. Perhaps this is an inevitable result of the insignificant role played by the intellectuals in the Mexican revolutionary process and of the consequent failure of the Revolution to develop an ideology of its own. However, until Mexico's revolution is dealt with as a truly indigenous phenomenon, there will continue to be serious problems in understanding it.

The University of New Mexico EDWIN LIEUWEN

MY LIFE IN THE MOUNTAINS AND ON THE PLAINS. By David Meriwether. Edited by Robert A. Griffen. Norman: The University of Oklahoma Press, 1965. Pp. xxii, 302. Illus., bibliog., index.

THE MERIWETHER AUTOBIOGRAPHY is not a significant, but it is a welcome addition, to the historical literature of the Southwest. Drawing upon his memory at the age of 85, and an assortment of materials that he had collected, Meriwether dictated his memoirs to a granddaughter. The story is told in simple, straightforward language without the slightest embellishment or vanity, and it might well have been otherwise. When, in 1820, a young man of only twenty, joins an Indian war party to gain entry into the city of Santa Fe, hoping to establish trade relations between the United States and Mexico; finds himself imprisoned, and set free only to spend two wintry months on the Plains, holed up with a few Indian companions,

dining on a cache of dried meat, keeping an eye open for hostiles, then he might well be tempted to boast a bit—but not Meriwether.

Chapter one covers his boyhood days. His career as a trader in the Plains country began in 1819 and is covered in chapters two to seven, well filled with facts and events that were deeply embedded in his memory. Chapter eight covers the years after his return home from the Plains in 1822 to the 1850's, a period when he worked his farm, floated down the river with produce for market at New Orleans, and engaged actively in politics. A Democrat in a predominantly Whig state, he seldom won high office, but his career was crowned with appointment to Henry Clay's vacant seat in the Senate and subsequent appointment as governor of the Territory of New Mexico.

His term as governor from 1853 to 1857 was marked by the customary difficulties in Indian affairs, and the annexation of the Gadsden strip. Meriwether does not throw any new light on the history of the period, although several incidents are of unusual interest; for instance, when he brought Kit Carson to heel as his subordinate agent to the Indians at Taos (p. 228); and the recovery of a watch from an Indian who claimed to have killed Captain Stanton in 1855. The Governor questioned him about the matter and found out that the watch, which had been ticking, "died," whereupon the Indian buried it. He persuaded the Indian to dig it up, turned his back, rewound it, and, lo and behold, it came back to "life." The Indian thought the white man was a witch.

In answer to a not unusual question, Meriwether states (p. 232) that Kit Carson could only sign his name; he could not write a letter. The governor is confused about Fort Webster; it was not active at the time he wrote. No doubt he meant Fort Fillmore, although the editor of the memoirs does not point this out. The origin given for the Lewis and Clark expedition is also incorrect. On the whole, however, the annotations are well done, but errors creep into the best of efforts. For instance, New Mexicans hunting the buffalo could not have met at Tascosa because it was not founded until after the day of buffalo hunting (p. 79, note 7). And it is very doubtful indeed that the Pawnees raided early seventeenth-century New Mexico to get horses, Frederick Hodge to the contrary notwithstanding (p. 79, note 6). Zuñi Mountain is a domal uplift, not a part of the Rocky Mountains (p. 206, note 21). The probable year for building the Palace of the Governors in Santa Fe is 1610 (p. 89, note 9). "Quoetaro" is not a reference to the Chiracahua Indians, but Meriwether's phonetic rendering of the Spanish word "coyotero," a name applied to another Apache group (p. 258).

The Autobiography ends with Meriwether's term as governor, so the story of his subsequent career must be found elsewhere. A three page

Epilogue summarizes his late activities in business and politics. He served his last term as a legislator at the age of 85. Death came seven years later.
The University of New Mexico FRANK D. REEVE

RANALD S. MACKENZIE ON THE TEXAS FRONTIER. By Ernest Wallace. Lubbock: West Texas Museum Association, 1964. Pp. x, 214. Illus., maps, index.

THIS is the story of a Custer-like young officer who won distinction in the Civil War as the leader of a Connecticut Volunteer Regiment, and who also earned the title "boy general" by rising to the rank of Brevet Major General of U.S. Volunteers at the age of twenty-four. Resuming his rank of Captain of Engineers after the war he waited five impatient years for the kind of position that suited his daring nature. Late in 1870 he was given command of the 4th Cavalry and immediately he set about perfecting the organization, then stationed at Fort Concho, Texas. "I intend that it shall not be on account of any laziness of mine if it falls below any other," he wrote of his new command. For the rest of his life this attitude characterized his devotion to his profession. Hard-driving, Spartan in his living, unable to relax, he pushed himself to eventual insanity and death in 1889 at the age of 48. Sherman once said of Custer that he was "young, very brave even to rashness, a good trait for a Cavalry officer." He felt much the same about Mackenzie; Sheridan fully agreed with him.

Texas in the '70's provided all the normal frustrations of Indian campaigning—an elusive enemy, parched distances, and impatient settlers—with the added complication of the international boundary as a barrier. The Kickapoos, who had fled the United States during the Civil War to take refuge in Mexico, now began to plunder Texas towns and flee back into Mexican sovereignty for protection. The effectiveness of their raids so disturbed military authorities in Washington, D.C., that the federal government decided to risk Mexican wrath by pursuing the Indians across the border. In the spring of 1873 Mackenzie led his troopers some sixty or seventy miles into Mexico where they destroyed the Kickapoo village and generated no more than a mild protest from Mexico. In the following year the hard-working cavalryman fell upon a group of Kiowa and Comanche raiders he had long searched for and he badly mauled them in what became known as the battle of Palo Duro canyon. A large part of 1,424 captured animals were destroyed along with food supplies and lodgings belonging to the Indians. In 1878 Mackenzie again chased cattle thieves across the border into Mexico and the author concludes that his presence in the region, as well as his willingness to cross the Rio Grande, did a

great deal to tighten Mexican resolve in the matter of controlling international raiders.

Professor Wallace's monograph concerns principally the Texas days of Ranald Mackenzie, during the 1870's, but the study is highly detailed and is the result of exhaustive examination of documentary sources in the National Archives. In addition, it is a well-organized, well-written account. Consequently, though its scope be somewhat limited, the work is of consequence and it will be required reading for any future student who attempts to understand or to write about the Southwest military-Indian frontier.

University of Colorado ROBERT G. ATHEARN

WITH SCOUTS AND CAVALRY AT FORT APACHE. By Harold B. Wharfield. Edited by John Alexander Carroll. Tucson: Arizona Pioneers' Historical Society, 1965. Pp. xii, 124. Illus., index. $6.00.

QUITE OFTEN the reader of this pleasant reminiscence finds it helpful to turn back to the first page, so as to be reassured that the events described actually take place in 1918. Such assurance is necessary, because the environment, the duties, the routines of Troop L at Fort Apache, resemble something out of the 19th, rather than the 20th century. Even in 1918, the fort was served only by horse-drawn vehicles, and the garrison morning report would not have surprised General Crook. Troop L was kept busy with the kind of work that bored frontier soldiers for a century. The officers went hunting or exploring to vary the dull routine, and the men performed the same necessary or useless tasks day after day.

All the characters familiar to frontier army accounts are present: the knowledgeable "old army" commanding officer, the tough, but fair, topkick, the drunken enlisted man, the slightly mysterious, philosophical army medic, the homesick retired soldier, the tangled red-tape of regulations, the busy-work, the faithful Indian scouts, unreliable at times, but always romantic. Indeed, the entire scene resembles a set for a 1966 television Western. The only missing ingredient is action. Except for the usual AWOLS, malingerers, drunks, and arrivals or departures of mail, there was no action at Fort Apache. An uneventful visit by Troop L to Globe was the biggest excitement of the year, unless it was overshadowed by a raid on an Indian booze camp. It was true, as young Lieutenant Wharfield had been told, that Fort Apache was the best place for a soldier who liked to ride and hunt. There was not much else he could do.

The Lieutenant found this life interesting and exciting, and his recollection transmits his impression well. His situation was new and strange. History spoke to him from every trail, ford, and pass. As an adventure in

nostalgia it was fascinating. As army service, Fort Apache was an anachronism. Many officers would have rebelled or taken to drink in such a situation. But the Lieutenant made the most of it. In fact, he liked the life so much that he could not understand that some of the troop might not.

The book is neatly printed, and the illustrations are adequate examples of amateur photography. One quibble: it seems unlikely that the Lieutenant (now Colonel) would spend his life in the army and still refer to a bandoleer as a bandelier.

University of Oregon Library MARTIN SCHMITT

THE BLAZED TRAIL OF ANTOINE LEROUX. By Forbes Parkhill. Los Angeles: Westernlore Press, 1965. Pp. 235. Bibliog., index. $7.50.

FORBES PARKHILL rightly judges Antoine Leroux worthy of a full-length biographical study, for Leroux participated in such well-known episodes in the opening of the West as the Ashley-Henry expedition of 1822 and the march of the Mormon Battalion. As a trapper, Leroux gained knowledge of great unexplored areas of the West which he later put to use by serving as a guide for several American military and exploring parties. As an early settler in New Mexico, Leroux was among those Americans who facilitated the later American conquest of the area. Nevertheless, it seems unlikely that this book will, as Parkhill hoped, "establish the place of Antoine Leroux among the outstanding mountain men, guides and Indian fighters of his era."

Although he attempts to cover his subject's entire life span, Parkhill concentrates on Leroux's last years (1846-1861) when the one-time trapper served as a scout and guide. For this period, information is more accessible and Parkhill seems more at home with his material. He appears to have combed published sources thoroughly, quotes extensively from them, and adds considerable detail to the story that Grant Foreman outlined in his brief article, "Antoine Leroux, New Mexico Guide" (NMHR, vol. 16, no. 4, 1941). Parkhill's treatment of Leroux's early life (1801-1846) is sketchy, at best. In covering these years, Parkhill does a great deal of padding, giving extraneous details about the times instead of the man. Further archival research might have revealed more information about Leroux's life in New Mexico; he was, for example, involved in trade on the Chihuahua Trail (a guía dated August 18, 1841, is in the Mexican Archives in New Mexico, State Records Center, Santa Fe). Regardless of how deserving Leroux may be of a biography, it would appear that Parkhill has not uncovered enough new material to justify presenting his findings as a full-length study.

The Blazed Trail of Antoine Leroux is not, as its publishers claim, "a serious study," if the term is understood in a scholarly sense. A bibliography

is provided but footnotes are used rather whimsically, and the reader will frequently be unable to locate the source of Parkhill's assertions. This could easily be forgiven if the book were written with the concern for accuracy that characterizes such popular history as David Lavender's *Bent's Fort*—but this is not the case. Even the general reader may be bothered by the absence of accents and tildes on almost all Spanish names (i.e. "Donna Anna Maria" p. 21), and by such generalizations as: "most Mexicans were too indolent or too lacking in skill to become successful trappers." (p. 48). *Doubtless* and *certainly* are often used when the reader wonders if a *probably* would not be more appropriate. Most disturbingly, many errors of fact are apparent. An almost incredible example is the statement that "Antoine Leroux was the fourth and youngest child of Marie Rose and Jean Sale dit Lajoie." (p. 28). These were Leroux's maternal grandparents. On the same page we find that Josiah Gregg wrote his famous *Commerce of the Prairies* in 1884 instead of 1844. James Purcell (rendered "Pursell" by Parkhill) is credited with reaching Santa Fe in 1802 rather than 1805 (p. 34). Thus the reader is told that Jean Baptiste Lalande, of textbook fame as the first known merchant to bring goods from the United States to Santa Fe, arrived two years after James Purcell. Not quite the pathfinder that his subject was, Parkhill places New Mexico's Rio Puerco in "today's Arizona" (p. 111). Finally, the author's use of Spanish materials is not to be trusted. A case in point is the last paragraph on p. 57 in which he makes a number of errors that can only be ascribed to faulty translation or transcription (his source is not cited but it clearly comes from a document in the Mexican Archives in New Mexico).

Like so many mountain men, Antoine Leroux left few records from which a later generation might reconstruct his story. If this biography does not quite succeed, Leroux must bear part of the blame. Indeed, Leroux covered his trail so well that, until the appearance of this study, his name was almost unknown to the general reader of Western Americana. For his work toward remedying this situation we must be thankful to Mr. Parkhill. Nevertheless, a study based on sound scholarship is still needed if we are to come to a full appreciation of Leroux's role in the opening of the West.

The University of New Mexico DAVID J. WEBER

THE SOURCES AND DIFFUSION OF THE MEXICAN SHEPHERDS' PLAYS. By Juan B. Rael. Guadalajara: Librería La Joyita, 1965. Pp. 647. Illus., maps, bibliog. $5.00.

UP TO THE PUBLICATION of this splendid work on the shepherds' plays there had been quite a bit of conjecture among folklorists both as to the origin

and dissemination of these dramatic representations. In this, his latest contribution to the field of folklore studies, Dr. Juan B. Rael of Stanford University conclusively shows that these folk dramas have their origin, not in California or New Mexico as has been believed, but in Mexico (either in Durango or in Zacatecas). From there they were taken north into the great American Hispanic Southwest. The main channels of diffusion coincide with the routes followed by early Franciscan, Dominican, and Augustinian missionaries: by sea to California and by land through Chihuahua and New Mexico to southern Colorado or through Coahuila and Nuevo Leon into Texas (San Antonio).

Since the Indians had a strong taste for the dramatic, the missionaries provided them with these simple New Testament plays that dramatize the journey of shepherds to Bethlehem to offer homage to the Christ Child. These are the same plays that have been represented at Christmas time both in northern Mexico and throughout the American Southwest. It is unfortunate that interest in these plays has waned due to newer forms of diversion.

Working under three separate grants from the American Philosophical Society of Philadelphia, the author did extensive research in Mexico, Central and South America. He discovered that, except for an occasional play in Guatemala and Colombia, the shepherds' plays, as we know them in the Southwest, are all but unknown in South America. The bulk of his collection of manuscripts comes from Mexico or from New Mexico and southern Colorado.

In a most meticulous line-by-line comparison between variants of several texts in his possession and others written by peninsular dramatists, such as Calderón and Mira de Mescua, the author concludes that none of the plays in his collection originates in Spain. He does see the influence of certain Spanish plays, particularly two by Calderón (*El pleito matrimonial* and *La vida es sueño*), two by Mira de Mescua (*El coloquio de Nuestro Señor* and *El buen ladrón*), and one each by Antonio de Castillo (*Auto sacramental al nacimiento del Hijo de Dios*) and Godínez Segundo (*Coloquio de los pastores de Belén*). Other minor peninsular influence is seen in the names of some of the shepherds (Bato, Bartolo, Gila). Basic thematic similarities between the Mexican shepherds' plays and those of Spain are discounted by the author since all the works are inspired in the same biblical theme—the trek of shepherds to Bethlehem.

The Sources and Diffusion of the Mexican Shepherds' Plays is a most valuable contribution to the field of folklore studies and is a must both for the layman and the serious student of southwestern Hispanic folklore.

The University of New Mexico RUBÉN COBOS

A MERCEDARIAN ANTIPHONARY. By Lincoln Bunce Spiess, with notes on painted ornaments by E. Boyd. Santa Fe: Museum of New Mexico Press, 1965. Illus. Pp. 48.

THIS SCHOLARLY musicological monograph is a fine thorough study of a 17th-century parchment manuscript from Guatemala. It is the chant "Sequence" for the feast of St. Peter Nolasco, founder of the Order of Mercy, a Spanish mendicant Order. The manuscript is part of the Collection of Spanish Colonial Art left to the Museum of New Mexico by our famed and beloved archaeologist, the late Sylvanus G. Morley. The study is beautifully printed, and illustrated with excellent photo reproductions of the text itself, as well as a rendition of it in modern musical notation. The frontispiece is a color reproduction of a 19th-century New Mexican *retablo* depicting a once popular *santo,* San Ramón Nonato, who was a Mercedarian friar. This provides a charming, if tenuous, connection with New Mexican colonial art.

This would have been fine and proper if the author had not ventured briefly into unknown historical territory by suggesting that the Mercedarian Order might have had some influence, and even representatives, in New Mexico. Utter nonsense, and the single unfortunate fleck in this otherwise superb treatise.

Peña Blanca, N.M. FRAY ANGELICO CHAVEZ

OUTLAW: BILL MITCHELL ALIAS BALDY RUSSELL, HIS LIFE AND TIMES. By C. L. Sonnichsen. Denver: Sage Books, 1965. Pp. 197. Illus., bibliog., index. $4.75.

BILL MITCHELL sought anonymity in the changing Southwest between 1874 and 1928. He did so because both he and his father committed murders. His withdrawal from society partially explains his survival for so many years after the commission of his crime, perhaps his biography, and certainly the scarcity of documents required for an historical study. Mitchell lived till he was in his seventies. His life story is therefore quite unlike that of Billy the Kid, Henry Plummer, or the many notorious outlaws who died prematurely. But unless one accepts the Brushy Bill Roberts type of account, western history provides few glimpses of those who lived well beyond any given climactic incident.

Mr. Sonnichsen set out to reconstruct the life of this fugitive which was an extremely challenging proposition; the family left few if any documents. The Mitchells helped pioneer a remote part of central Texas. Over the years problems accumulated with neighbors, the Truitts, resulting in Mitchell's father suing for payment of a debt. In 1874, during the time the case was in court, Isaac Truitt was killed in a gun battle with several

of the Mitchells. Bill Mitchell's father was tried, convicted, and executed for the murder. The surviving Mitchells left their central Texas home and Bill began his long life as a fugitive. In 1886 James Truitt was shot and killed. More than twenty years later Bill Mitchell was tried for the murder and after many delays went to prison in 1912 only to escape two years later. He died of natural causes in 1928 in New Mexico where he had spent most of his adult life on the fringe of society.

The book's major weakness is its lack of sufficient documentation. The footnotes reveal that the author relied heavily on interviews and letters. A majority of the interviews, conducted in 1963, concerned events which took place during the 1870's, the period of the trial from 1907 to 1912, and the years after Bill's escape from prison in 1914. The letters were essentially written interviews rather than contemporary documents and follow much the same pattern as the oral interviews; most of them were written in 1963. Thus Mr. Sonnichsen based his book on the recollections of people who were frequently relatives of the central figures. They had been told some time in the past what had happened and were recalling the stories from a half century more or less. Parts of the trials, murders, and such were reconstructed from court proceedings and similar more acceptable historical documents. The legal highlights were held together by ideas extracted from the interviews and the author's surmises as to what might have happened. Indeed the best parts of the book are the fine descriptions which the author provided as settings for incidents important to Bill Mitchell's biography. Parenthetically, Cooney Mitchell's last statement will prove interesting to some students of western history.

The physical quality of the book is mediocre, misprints were noted, and occasionally colorful but imprecise phraseology was used. These objections seemed insignificant when compared with Mr. Sonnichsen's need to rely on supposition and hearsay for the core of his story. As the book now appears, it might prove interesting to some readers in New Mexico and possibly Texas.

Colorado State University CHARLES J. BAYARD

RED MAN'S RELIGION: BELIEFS AND PRACTICES OF THE INDIANS NORTH OF MEXICO. By Ruth M. Underhill. Chicago & London: The University of Chicago Press, 1965. Pp. 269. Illus., maps, index. $7.95.

INTENDED as a companion volume to the author's *Red Man's America* and an introduction to its subject, this book covers its field thematically and geographically and does so very well. Curing, funerals, vision quest, the great communal rituals, peyotism, etc. are all here. They are not as much described as evoked, for Underhill draws on her broad experience and

familiarity with the subject for apposite anecdotes, fragments or outlines of ritual or belief which convey the feeling of Indian religiosity rather than its organization or intellectual content. Inevitably this technique holds her to the introductory level: what is missing is the elaboration of the fragments into systems, the sense of fit of one myth or rite with another, the intellectual subtlety to which even simple band religious lend themselves. Mythology is particularly skimped by such a treatment, and I am not convinced by Underhill's disclaimer that myths are for specialists while rites may be expected to reflect the viewpoint of the Indian layman.

Underhill manages the juxtaposition of the familiar facts with freshness and vigor, and the diverse cultures of North America stand forth clearly. Ecological and historical differences are lucidly presented. Siberian and Mexican influences on North America are traced in some detail; European influences are largely omitted, since the facts are related in the ethnographic present. Suggestive questions emerge in detail (why were the Indians seemingly so insensitive to flowers?) and in general (why is cannibalism so strikingly absent in North America? Why is the spirit quest peculiar to it?). Inevitably this first synthesis of North American Indian religion raises an even broader question: is there a thematic unity to the North American cultures, or must we deal with them in two, five, thirteen or thirty importantly distinct patterns? Obliquely but pervasively Underhill suggests throughout that the Indians have something in common besides exposure to English, and amid the complexities and diversities the "feeling" persists. Elusive and inexplicit as it is, this question remains an intriguing and I believe significant undercurrent of her book.

The student of North American Indians will find this a useful introduction to the more specialized literature on their religions. A selected bibliography is included and is cross-referenced by chapter, and there is a good index. For the more general reader, the work is a well-written, comprehensive and accurate summary. The illustrations are notably well selected.

Tulane University MUNRO S. EDMONSON

HISTORICAL SOCIETY OF NEW MEXICO NOTES

Mrs. Louise Rutz, who has done such a fine job as Bulletin Editor, resigned on March 2. Miss Lance Robbins has taken her place.

Tularosa Basin Historical Society, Alamogordo: President, Mr. Carl Reed; Vice-President, Mr. L. H. Cornett, Jr.; Recording Secretary, Mr. Henry Searcy; Treasurer, Mr. John Douglas; Corresponding Secretary, Mrs. Loraine Curry. The Society reports that about one-third of the funds needed for a museum have been collected, with other donations and help promised.

Taos County Historical Society, Taos: President, Mrs. Elizabeth Budlong; Vice-President, Mrs. Rowena Martinez; Treasurer, Mr. Jack Boyer; Program Chairman, Mrs. Tony Reyna; Secretary, Miss Helen G. Blumenschein. Miss Blumenschein's 1966 quarterly history letter to TCHS members, compiled from Manuel Espinosa's translation of de Vargas' military journals is now complete. The Society held its only paid admission program for the year on June 10th at the Harwood Gallery, where Mr. Alan Vedder gave a highly successful lecture, "Easter in Seville."

Since 1960, TCHS has tape-recorded its speakers. The recordings are presented on the radio each Tuesday at eight p.m. by Station KKIT.

The Albuquerque Historical Society: President, Richard G. Worthen; First Vice-President in charge of Old Town Museum, Dr. Leroy Condie; Second Vice-President, in charge of programs, Ed. Perkins; Recording Secretary and Membership Chairman, Mrs. Judson Miller; Corresponding Secretary and Publicity Chairman, W. R. J. McKeon; Historian, Gilberto Espinosa. The Historical Society Museum, at 316 Romero, N.W., is open during the summer from ten a.m. to eight-thirty p.m. The recent Kathryn Kennedy O'Connor exhibit was donated by her husband, James O'Connor. The Kachina exhibit now on display was loaned by William Robinson, and will be on view through the summer.

At its annual meeting on November 27th, 1965, the Historical Society of New Mexico passed the *Memorial to Ina Sizer Cassidy* by Hester Jones of which the following is an abridged version:

With the death of Ina Sizer Cassidy at 96, New Mexico lost one of its most dedicated preservers of state history and culture. It also lost a creative spirit whose long life was filled with interest in the Indian and Spanish Colonial arts, historical research, writing and publishing of poetry, contributing a monthly page—"Art in New Mexico"—to the *New Mexico Magazine*, active participation in the state Historical Society, and exhibiting the works of her late husband, well-known artist Gerald Cassidy.

Ina Sizer's father fought with Kit Carson in the Indian Wars and with the Colorado Volunteers in the Civil War battle at Apache Canyon, so her interest in history began on the Bent County, Colorado, homestead where she was born on March 4, 1869. In 1912, she married Gerald Cassidy and moved to Santa Fe, where their home became the cultural center it remained throughout the years.

During World War I, Mrs. Cassidy lived in New York, where she served her home state by establishing a community center for New Mexico enlisted men.

Soon after her return to Santa Fe, Mrs. Cassidy became a member of the Historical Society of New Mexico. As a director of the Federal Writer's Project, she sponsored the inclusion of translations of documents in the Spanish Archives of New Mexico. Later, she used some of these in connection with her research into the history of old Santa Fe houses. Until she retired at the age of 85, she was receptionist for the Historical Society and the Museum in the Old Palace. Mrs. Cassidy also gave a number of the historical objects and letters which she had collected during her life to the Historical Society.

She was also a member of the Spanish Colonial Arts Society, the Southwestern Association on Indian Affairs, the Mayflower Society, the Daughters of the American Revolution, the National Association of Press Women, and the Santa Fe Garden Club.

LANCE ROBBINS, Bulletin Editor