

# SOUTHERN NEW MEXICO HISTORICAL REVIEW



*J. CISTERNOS '89*

*Pasajero del Camino Real*

By

**Doña Ana County Historical Society**

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# Doña Ana County Historical Society

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The *Southern New Mexico Historical Review* (ISSN-1076-9072) is looking for original articles concerning the Southwestern Border Region. Biography, local and family histories, oral history and well-edited documents are welcome. Charts, illustrations or photographs are encouraged to accompany submissions. We are also in need of book reviewers, proofreaders, and someone in marketing and distribution.

Current copies of the *Southern New Mexico Historical Review* are available for \$10. If ordering by mail, please include \$5.00 for postage and handling. Back issues of the print versions of the *Southern New Mexico Historical Review* are no longer available. However, all issues since 1994 are available at the Historical Society's website: <http://www.donaanacountyhistsoc.org>. The PDF files or parts of them can easily be downloaded and printed. Correspondence regarding the **Review** should be directed to the Editor of the *Southern New Mexico Historical Review* at Doña Ana County Historical Society, P. O. Box 16045 Las Cruces, NM 88004-6045. Email messages can be sent to: [19dachs63@gmail.com](mailto:19dachs63@gmail.com)

Articles may be quoted with credit given to the author and the *Southern New Mexico Historical Review*.

## **Editor's Note**

Once again it is my privilege to edit the Doña Ana Historical Society's 2023 Historical Review.

This year's Historical Review is a rather eclectic collection of very interesting stories covering everything from cattle drives to Navajo treaties.

This year's edition includes, in no particular order, "Arbitrators or Agitators," by Jamie Starling; "House, NM," by Monte Rout; "The Magdalena Cattle Trail," by Leah Tookey; "Black Pioneers in the Borderlands," by Joseph Seagrove; "Anatomy of Spanish-Navajo Negotiations in the Treaties of 1805, 1819 and 1823," by Joseph P. Sánchez, PhD; "Personally Connecting with Wild Westerners," By Mike Jackoboice; "Spatial and Discursive Violence in the US Southwest," A book review by Jorge A. Hernández Jr.; and "Educating the Enemy: Teaching Nazis and Mexicans in the Cold War Borderlands," A book review by Jim Eckles.

This year's Gemoet's prize is awarded to Mike Jackoboice for his wonderful article entitled "Personally Connecting with Wild Westerners". This is, at times, an almost whimsical look at how we are only a couple of generations removed from the legends of the wild west here in southern New Mexico.

Once again, I thank the Doña Ana Historical Society for the privilege of editing this year's Historical Review. It is wonderful collection of articles by authors truly interested in the history of New Mexico.

After I had submitted these notes to Jim Eckles he sent me an email informing me that this was volume 30 of the annual Historical Review. That's quite an accomplishment, 30 years of producing this fine publication uninterrupted. That speaks volumes to the dedication of the Doña Ana Historical Society's Boards of Directors for their contribution to the historical record of New Mexico. It also demonstrates the dedication of the authors who submitted all these articles over the years. Congratulations and thank you to each and every individual who has worked hard to make this a relevant record of history for 30 continuous years.

Jim Eckman, Editor

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# *Southern New Mexico Historical Review*

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## Personally Connecting With Wild Westerners

Gemoets Prize  
for  
Outstanding Article

**By Mike Jackoboice**

We can walk where they walked. We can talk with their descendants. And through handshakes we can connect to their handshakes. On the open range, in a lonesome wind, we can almost see a chuckwagon and smell the aroma of beef and beans and biscuits. We can grab a cup of cowboy coffee and kick back into Western history....

For the first time, in 1889, Butch Cassidy walked into a bank and walked out as a bank robber. Stuffing the equivalent of \$750,000 into their

saddlebags, the outlaws rode out of town shooting. From Telluride they began running from the law and its bullets.

Ten years later, on the lam between train robberies, “Butch” had the new alias Jim Lowe as he rode into the Territory of New Mexico. North of Alma, in 1899 and 1900, he worked for Wilson and Stevens’ WS Ranch. The gunslinger rode for the brand, running off rustlers and driving cattle to the Magdalena Stockyards.

Then Pinkerton detectives showed up in Alma. The WS Ranch manager didn’t know he had hired Butch Cassidy and other Wild Bunch members. They spurred their horses and rode away. The manager, William French, did know a lot about life in the Old West. His stories fill two books: *Recollections of a Western Ranchman*.

Google “Butch Cassidy’s Hideaway at the Historic WS Ranch” to see photos of the ranch. Rent the 4-bedroom WS vacation house. Ask directions to the WS Ranch Cemetery and its gated, barbed-wire fence at the gravesite of U.S. Cavalry soldiers killed by Apaches in 1885.

In southern New Mexico there are countless historical sites where we can cross paths and connect with men and women who made history. I’m partial to ranches, as I worked on one in 1979 that later became the Western Center for Historic Preservation (of the National Park Service). One could start in Las Cruces at the New Mexico Farm & Ranch Heritage Museum, see its corrals and livestock, then ride to the region’s old ranches.

At Gila, tour or stay at the L.C. Ranch headquarters of the Lyons & Campbell cattle empire (1880-1923). Originally built in 1811, the hacienda was enlarged to 27 rooms in the 1890s. This adobe mansion includes a European social parlor. Outside, the cowboys’ saloon includes a jailhouse.



***Butch Cassidy’s first bank robbery occurred in Telluride at the San Miguel Valley Bank, at this vault door, now in the First National Bank Building. Photo by the author.***



The L.C. herd of 60,000 cattle and a million acres of grazing land made it the second largest ranch in America. Its chuckwagons fed 75 cowboys who ranged to the Arizona line... and from Mule Creek south to the Animas Valley.



***North of Silver City, step back in time in the Pinos Altos Museum & Gift Shop. A 49er gold miner built this log cabin in 1866. His descendants opened it as a museum, expanded it, and continue running it. Photo by Faye Severe, 2022.***

Southwest of Silver City, tour or stay at the Burro Mountain Homestead, established as a ranch and stagecoach stop in 1882. In 1914 one of Teddy Roosevelt's Rough Riders built its enduring ranch house. His wife was a bridesmaid in Eleanor Roosevelt's wedding, and their house became a "summer White House" for President Franklin D. Roosevelt. Today, stay in the Roosevelt Room. The house's dining room is rather presidential with deer mounts, mahogany/glass bookcases, and bay window alcoves with reading chairs. Sit where FDR sat and enjoy the same porch view of pine trees, deer and javelinas too.

Southwest of Lordsburg, tour an old ranch known as Shakespeare Ghost Town. In 1856 the U.S. Army built a mail relay station that grew into this small mining town. But mining booms busted and in 1935 the townsite became a private ranch. Step into the Stratford Hotel, into the footsteps of its most famous employee: a teenager who would become known as Billy the Kid. Researchers deduce he was born 1859-61, likely in



***The Stratford Hotel in Shakespeare, 2.5 miles southwest of Lordsburg. In 1875 it employed a teenage dishwasher: Billy the Kid. Photo by author.***

New York. In Silver City in 1875 he escaped from jail and fled towards Arizona Territory. Stopping at the Stratford, earning money for supplies, he swept the dining room floor and washed dishes in the kitchen. Today one can also tour seven other buildings, crossing paths with "Cowboys" Johnny Ringo, Curly Bill and the Clantons too.

Legendary Sheriff Pat Garrett lived in various places in New Mexico Territory. At the end of his life he owned two ranches in the San Andres Mountains. Near the town of Organ, his Home Ranch (1897-1908) is now a vacant site. He purchased the remote Rock House Ranch in 1899 and its house still stands. Now on the White Sands Missile Range, few people have been authorized to visit these ranchlands. More have seen the "Patrick Floyd Garrett House" east of Roswell near the Pecos River, where his family lived from 1887-91. At this ranch, Garrett dug a canal and urged more irrigation to attract settlers and build agriculture. The house is on private property (known for rattlers).

Cattleman John Chisum's South Spring Ranch was near Roswell too, from 1874 forward. Re-named the Jinglebob in 1889, today it is a private ranch with a locked gate. From the Old Dexter Highway one can see a dense stand of tall trees typically marking the site of an old ranch.

Step into the Wild West of the 1890s in rancher Oliver Lee's renovated house in the desert south of Alamogordo, at Oliver Lee Memorial State Park.

Watch for jackrabbits and roadrunners. And up in the forested Sacramento Mountains, on the drive into Timberon, watch for Lee's Circle Cross ranch house (and a barn, both on the west side of the road).

Stroll the Western town boardwalks of Cloudcroft. Walk like they walked.

Many enjoy watching classic Western TV series like *Gunsmoke*, *Bonanza*, *Wagon Train*, *Rawhide*, *Cheyenne*, *High Chaparral*, *The Rifleman*, *The Lone Ranger* and *The Wild Wild West*. Most enjoy movies with John Wayne and Clint Eastwood. Some enjoy reading Western history. And some buy cowboy boots and a Stetson and move to the West to learn more.

Moving to New Mexico in 1997, I boarded a plane and happened to sit next to an 82-year-old woman whose older relatives rode with Billy the Kid. Louise Coe (Runnels) spoke of the killing of rancher John Tunstall and subsequently deputized "Regulators" including Billy and his friends Frank and George Coe. They were at the Blazer's Mill shoot-out in 1878 during the Lincoln County War. George lost his trigger finger. Louise Coe

(aka Bonita Lou) was 26 when old George died in 1941. I shook her hand, a hand that shook George's hand, a hand that shook Billy's hand. I suddenly realized that we can personally connect – through handshakes – with Wild Westerners of the 1800s.

Billy befriended the late John Tunstall's business partner Alexander McSween and his wife Susan. Regulators defended their besieged house dur-

ing the Five-Day Battle of Lincoln in July 1878. Alexander was shot and killed. Susan went on to become "The Cattle Queen of New Mexico" and grew old in the gold mining town of White Oaks. Naturally, she shook the hands of school kids in the 1920s (she died in 1931). I met two of those "kids" eight decades later in the Schoolhouse Museum. Claude and Inez told stories of the old days and referred to Susan. Two hours later I shook their hands, then drove past the cemetery and Susan's grave amazed by our proximity to Western history.

Amazed again, I met an old Westerner whose great-grandfather had a farm at Hondo and a memento. One night Billy the Kid rode in with a wounded friend and asked if they could sleep in the barn. The next morning Billy thanked the farmer and handed him a silver dollar. That man kept that coin... and asked his family to bury him with it.

Billy's fluency in Spanish opened doors in the Hispanic community, with lodging and hospitality that likely included green chile enchiladas.

The Butterfield Overland Mail Trail (1858-61)



***The Torreón in Lincoln, NM. Its historical marker states: "Built in the 1850s, its thick walls protected Spanish-Americans against the Apaches..." Photo by Rachel Walden, courtesy of New Mexico Historic Sites, 2022.***

ran through Mesilla, and its stagecoach stop is open today as the colorful Mexican-American restaurant La Posta. Butterfields begat Butterfields, generating handshakes from generation to generation. I met a Butterfield in 2021 at a church near Organ. There are descendants of famous old Westerners across southern New Mexico.

In Mesilla, shake hands with a Fountain or an Alexander and connect with





**The actual jail bars that held Billy the Kid during his trial in Mesilla for the murder of Lincoln County Sheriff William Brady. Photo by author.**

Col. Albert J. Fountain (1838-96), a legendary frontiersman who drove a buckboard wagon into tragic and lasting fame just east of Las Cruces. He was a respected soldier, legislator, journalist and lawyer. In April 1881 he defended William Henry McCarty, aka William H. Bonney, aka Billy the Kid in the plaza courthouse now known as the Billy the Kid Gift Shop. Naturally, they shook hands too. Billy was convicted for the murder of Lincoln County Sheriff William Brady, and was sentenced to hang the next month (in Lincoln). In Mesilla see Billy's jail bars at the Gadsden Museum. See his signature in a picture frame amidst the Victo-

rian elegance of the Double Eagle Restaurant.

At the Dodge House Restaurant in 2017, I shook the hand of retired Deputy Marshal Charlie Meade of Dodge City. In 1935 he was born in an ambulance, delivered by the hand of “the longest-living Old West Sheriff and Marshal” Hamilton “Ham” Bell. Bell got into Dodge in 1874. In 1875 he opened the largest livery stable in town and ran it for 24 years. He likely shook the hand of Wyatt Earp when he was a lawman in Dodge City (1876-79). Deputy U.S. Marshal Ham Bell served from 1880-92. A lawman for three decades, he died at 94 in 1947. Profiler George Laughead of Dodge City wrote, “The fictional character of Matt Dillon in *Gunsmoke* seems drawn more from the life of Ham Bell than it does from Wyatt Earp.” The *Gunsmoke* radio shows ran from 1952-61, the TV shows from 1955-75. Yes, we are just a handshake away from Wild Westerners, and from Western TV stars. In the “Little Hollywood” town of Kanab, Utah, in 2015 I met an old Parry Lodge employee who used to chauffeur Marshal Matt Dillon to the airport (actor and pilot James Arness). Picture Marshal Dillon flying his own airplane.

Connect with Wild Westerners at annual festivals like “Cowboy Days” in Las Cruces... the All American CowboyFest in Ruidoso... Old Lincoln Days and its Billy the Kid Pageant... and the Pat Garrett Western Heritage Festival in Las Cruces. Lincoln County Sheriff Garrett also served as sheriff of Doña Ana County from 1896-1900, based in Las Cruces. Shot in 1908, he was buried and then reburied in 1952 in cemeteries at Brown and Compress roads.

Moving to Las Cruces I was astonished to see numerous Garretts in the phone book, and I hoped to meet a descendant. That happened in 2019 at the Garrett festival in the Rio Grande Theater, and he came all the way from Kentucky. Scott Davis’ mother was Virginia Lee Garrett, her father was Oscar Lohman Garrett, and his father was Sheriff Pat Garrett. In the crowded



**A panel in the photo display at Mesilla Town Hall. Billy the Kid sat in this barber chair for a pretrial haircut, likely wearing leg irons. Other photos show his Winchester rifle and a close replica of Sheriff Garrett's pistol.**



**Historical marker on the birth and career of Elizabeth Garrett (daughter of Sheriff Pat Garrett) at Alto, NM. At left, Elizabeth's grand-nephew Scott Davis. At right, Western history researcher Dan Jones of Ruidoso.**

lobby I waited my turn to meet this great-grandson and shake his hand. Celebrity runs in the family. His grand-aunt Elizabeth Garrett was the blind, talented musician who befriended Helen Keller and also composed the state song, "O, Fair New Mexico." Scott returned for the festival in 2020, and we took a day trip to high desert country. Picture the dusty old town of Lincoln and a tumbleweed rolling down the street. We stood where Billy the Kid and Regulators ambushed and killed Sheriff Brady. Then we walked to the courthouse where Sheriff Garrett planned to hang Billy....

That day we also drove to Alto, to see Garrett family sites. We happened to meet Melba Valdez, whose great-great grandfather Milnor Rudolph went to the scene of a shooting in July 1881. The rustler Billy the Kid had recently escaped from the Lincoln County Courthouse, killing two deputies. Sheriff Garrett tracked him to Fort Sumner and shot him in Pete Maxwell's house. Concerning the body on the floor, and later debates over its identity, I asked Melba how Milnor was certain the dead man was Billy. With casual candor she said, "He knew him." Mr. Rudolph, 54, was a rancher, Territory legislator, and owner of a store that Billy

visited several times. And he was "Presidente" of a group of men who investigated the shooting and inspected "the body of William Bonney alias "Kid" with a bullet wound in the chest..." (translated from the Spanish, official, handwritten report of 7/15/1881).

It could be said that Billy the Kid and Sheriff Pat Garrett made each other famous. From movies, books and articles, people worldwide know both men. More evidence of the fame? Garrett's deadly Colt "Peacemaker" six-shooter was sold at auction August 27, 2021 for more than 6 million dollars, a new world record for auctioned guns.

They buried Billy, but the West was still wild.



**Billy the Kid's two gravestones in the Old Fort Sumner Cemetery. Photo by Amanda Miller.**

Three months later there would be a shoot-out "at" the O.K. Corral in Tombstone, Arizona. Later, Wyatt Earp's 8-man posse with Doc Holliday would run the Vendetta Ride, "armed to the teeth" against "the Cowboys." In about three weeks the posse would leave Arizona, riding via Mule Creek to Silver City to sell horses and saddles. Taking the Deming stagecoach to its stop at Fort Cummings, they could short-cut to Nutt for the train trip to Albuquerque and beyond.

Three years later in 1884 at Frisco (Reserve, NM), dozens of Texas cowboys would shoot thousands of bullets at Socorro Deputy Sheriff Elfego Baca. He would lay low in an adobe/wood jacal and return deadly fire in a gunfight lasting two days. And he would live to tell the tale.

Travelers, settlers and troops of African-Amer-





***Monument to the bravery and gunfighting skill of Socorro Deputy Sheriff Elfego Baca in the Frisco shoot-out in 1884 (at Reserve, NM). Photo by author, 2021.***



***Grave of rancher Pete Maxwell (1848-98) in the Old Fort Sumner Cemetery. Photo by Amanda Miller.***

ican “Buffalo Soldiers” would continue fighting Apaches across southern New Mexico Territory. We can see evidence of the old days: the Torreón in Lincoln... Cooney’s Tomb in the Mogollon Mountains... and rock-covered graves of ambush victims in Cookes Canyon. Deadly arrows and rifle bullets flew everywhere. We can walk in the footsteps of Kit Carson, Medal of Honor winners, and future generals Pershing and MacArthur, at Fort Stanton, Fort Selden and Fort Bayard. Re-enactors also tell about Civil War history that transpired at Fort Fillmore, Mesilla, Fort Craig and up the Rio Grande.

We cross paths with Apaches everywhere from Steins to Carlsbad... and from Hatch to Hillsboro, Hot Springs, Chloride and beyond.

Most know of Cochise, Victorio and Geronimo (who eventually surrendered in 1886 near Rodeo, NM). See Apache weapons, tools and clothing at the superb museum in Mescalero, and a photo display at the Apache Homelands building on I-10 at Akela Flats.

In Fort Sumner see the Billy the Kid Museum, and something new in 2023. At the former Old Fort Sumner Museum, the Chamber of Commerce plans to build a replica façade of the Maxwell house – where the law stopped an outlaw. Step inside “the room” where Billy died, then step out to see his gravestones.

That’s a roundup, so I reckon it’s time to tip the hat, say “Happy trails” and walk out the swinging doors.

Walking in the footsteps of cowboys and Indians, lawmen and outlaws, soldiers and settlers, with handshakes connecting to their handshakes, we are rather close to the history they made. As the sun slowly falls to the western horizon... we can almost see them riding into the sunset.

**Mike Jackoboice** graduated from the College of Journalism at Marquette University, with a minor in Marketing. He has worked as a newsman from Alaska to South America (HCJB World Radio and SIM's Pacific Andes Area). Since 1998 he has served with the El Paso County Sheriff's Office, in jail ministry with thousands of inmates from Mexico and Central America. He has also served with our state's Tourism Department.

## **Endnotes**

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# Arbitrators or Agitators

## Catholic Clergy of the Borderlands During the Salt Wars

*By Jamie Starling*

In 1877, the “El Paso Salt War” swept the borderlands. While a dispute over access to salt beds east of El Paso was the immediate spark, the Salt War was also the culmination of three decades of conflict over leadership in the Roman Catholic Church.

While the battles of the Salt War primarily took place in west Texas, southern New Mexico was deeply involved in the conflict, particularly its religious dimensions. Roman Catholic clergy in the Mesilla Valley and other borderlands communities served essential roles in the Salt War as arbitrators between warring factions and agitators who called for violent resistance to Anglo-American settlement.<sup>1</sup>

The Salt War had its roots in disputes over borders and property rights that remained unresolved after the Treaty of Guadalupe Hidalgo in 1848, the Compromise of 1850, and the Gadsden Purchase of 1853. While these agreements redrew political boundaries, they led to complex questions on ecclesiastical lines between Catholic dioceses.

The 1848 treaty defined the Rio Grande as the border of Texas and divided communities such as Ysleta, Socorro, and San Elizario (now in El Paso County, Texas) from the neighboring mission towns in Mexico.

The Compromise of 1850 resolved questions concerning the boundaries of Texas and New Mexico by placing El Paso County in Texas and ending the Lone Star State’s claims to New Mexico east of the Rio Grande. The Gadsden Purchase of 1853 added the southern reaches of New Mexico and Arizona to the United States, including much of the Mesilla Valley.<sup>2</sup>

These agreements also led to new boundaries for the Catholic Church. In 1850, the Vatican

created the Vicariate Apostolic of Santa Fe under John Baptist (Jean Baptiste) Lamy, a French cleric who later became the first archbishop of Santa Fe. While Lamy claimed jurisdiction over much of the new U.S. Southwest, the southern boundaries of his charge remained unclear as the Mexican Diocese of Durango challenged Santa Fe’s claims. The parishes of El Paso County remained closely tied to their neighbors across the river in Mexico.

After 1853, Bishop José Antonio Zubiría of Durango refused to recognize that the Gadsden Purchase altered his diocese and continued to assert his primacy over Doña Ana and Mesilla. A central factor was the strong leadership of Father Ramón Ortiz, the Vicar Forane of Paso del Norte, who administered the parishes of the borderlands in the name of the distant see of Durango.<sup>3</sup>

Ramón Ortiz was more than a respected spiritual advisor; he had an important political role. After 1848, Father Ortiz led the resettlement of as many as two thousand New Mexicans who wished to remain on Mexican soil after annexation. Mesilla became the chief center for those Hispanos who elected to retain their Mexican citizenship and left U.S. territory. In 1853, the government of Santa Anna agreed to the sale of the region, an event many Mexicans bitterly termed *La Venta de Mesilla* (The Sale of Mesilla). Mesilla residents who remained determined to stay on Mexican soil relocated to Guadalupe Bravos, a site across the river from El Paso County in Chihuahua.<sup>4</sup>

Despite annexation, Spanish remained the language of home life and, in many cases, local government across this region. Testimony in Spanish often predominated at the El Paso County courthouse in San Elizario.

The opening of the Santa Fe Trail in the 1820s

had brought a stream of “Americans” to the area even before the U.S.-Mexico War, but Anglo and other non-Hispanic settlers remained a minority.<sup>5</sup> Perhaps the most salient feature of continued Hispanic influence across this region was the persistence of a powerful Catholic Church. The relatively small number of Anglo-American and European newcomers, predominantly men, invariably adopted Catholicism when they married locally. This embrace of Catholicism was often rather superficial, and early Anglo settlers did little to alter Hispanic expressions of Catholic practice, such as the veneration of the Virgin of Guadalupe.<sup>6</sup>

The Catholic Church remained the only organized Christian denomination in El Paso County until 1871, when an Episcopalian congregation formed. The Catholic parishes of El Paso and Doña Ana Counties remained under the leadership of primarily Hispanic clergy until the late 1860s and 1870s. Most Catholics in the area looked southward to the Diocese of Durango and not to the new Diocese of Santa Fe for leadership. The region’s clergy resisted Bishop Lamy and followed Ramón Ortiz, who operated with nominal oversight from Durango.<sup>7</sup>

Ramón Ortiz was the vicar of Paso del Norte and oversaw the region’s parishes for much of the period from 1838 to 1896. A native of Santa Fe, Ortiz studied in the Durango seminary before his long vocation as a priest in the northern frontier. Ortiz had a complex role as a mediator between rival groups and a determined defender of Hispanic rights. On the one hand, Ortiz’s role in formally inviting male settlers into his church and enabling their marriages to women from propertied local families won the respect of the emerging Anglo elite.

At times Padre Ortiz appeared accommodating toward settlers, he very forcefully defended the rights of the Diocese of Durango in El Paso and southern New Mexico. In many respects, his work to integrate Anglo settlers into his church was part of his larger patriotic effort to maintain Mexican influence over annexed or disputed areas.<sup>8</sup>

Antonio Borrajo, a Spanish priest who arrived

in the Southwest with Bishop Lamy in 1850, initially followed Ortiz’s moderate example. Borrajo was a Galician Spaniard who originally came to Nacogdoches, Texas, in the 1840s to serve as a parish priest. However, much of its Tejano population had fled violence by the time of his arrival.

When Lamy arrived in eastern Texas on his way to Santa Fe, Borrajo joined him as he trekked west to Paso del Norte. Lamy claimed El Paso County as part of his emerging diocese and left Borrajo in Socorro, Texas to minister to its former mission church. Nevertheless, after Lamy’s departure to Santa Fe, Borrajo quickly came under Ortiz’s influence and defended Hispanic Catholic interests in the borderlands.<sup>9</sup>

A conservative in religious matters, Padre Borrajo emerged as a strident opponent of Anglo-American dominance and French clerical authority in the borderlands. A falling out between Borrajo and El Paso’s small Anglo community became evident by the end of the 1850s.

During the late 1850s, a group of thirty residents of the region sent a statement to Ramón Ortiz to protest what they viewed as Borrajo’s bigotry. The signatories of the letter petitioned the vicar to remove the priest from the parishes of Socorro and San Elizario. The letter’s authors praised Padre Ortiz as “a man in whom we have the greatest confidence as a Christian priest.”

On the contrary, the authors described Borrajo as one who had troubled settlers for “the last four or five years.” They further stated that “his path has been to create a difference of allegiances, feelings, and interests between the different races that live together in our communities, a spirit that is contrary to the teachings of religion and the rights of man.”<sup>10</sup> Despite the growing economic capital and political influence these Anglo-Americans possessed, their petition to Ortiz acknowledged his religious leadership.

Ortiz faced many challenges during a period of turmoil during the 1860s, as both Mexico and the United States witnessed significant wars. Bishop Zubiría’s death in 1863 greatly undermined the personal ties that linked Paso del Norte to its

diocese. Mexico's war between imperial and republican forces prevented the investiture of a new bishop of Durango until 1868 when José Vicente Salinas e Infanzón took office.

In the same year, the Vatican created the Apostolic Vicariate of Arizona at Tucson, which became a diocese in 1897. This new seat had better transportation links to west Texas and southern New Mexico than Santa Fe, which still required an arduous journey across the Jornada del Muerto to reach from the southern borderlands.<sup>11</sup>

Another blow to the Hispanic clergy's influence over the borderlands occurred in 1866 when Padre Ortiz left Paso del Norte to serve as a priest in the remote Sierra Tarahumara of southern Chihuahua. To some extent, this was a self-imposed exile. Mexican priests often expressed support for the French-backed regime of Emperor Maximilian. Benito Juárez, a noted anticlerical politician, led Mexico's resistance to imperial rule from Paso del Norte at that very time.<sup>12</sup>

When Ortiz returned to Paso del Norte in 1872, the year of Benito Juárez's death, he encountered a new jurisdictional framework across the northern border. The emergence of Tucson as Vicariate Apostolic constrained Durango's claims on parishes north of the United States-Mexico border.

After a long period of uncertain church borders, on December 11, 1871, Pope Pius IX issued an Apostolic Brief that transferred the parishes of Doña Ana County in New Mexico and El Paso and Presidio Counties in Texas from the Diocese of Durango in Mexico to Tucson. Over twenty-three years after the end of the United States-Mexico war, one of the vestiges of Mexican autonomy in its lost territories ended.<sup>13</sup>

The area's Hispanic clergy firmly opposed this change. Antonio Borrajo, José de Jesús Baca, José Antonio Real y Vásquez, and Juan de Jesús Trujillo, who respectively formed the parish clergy of Socorro and San Elizario, Doña Ana, and Mesilla, Franklin and Concordia, and Ysleta, petitioned for a new diocese in 1872. These clergy cited their parishes' Spanish and Mexican Catholic heritage and conflicts with the French-born clergy who ar-

rived after 1850.

From the perspective of the Hispanic clergy, the new hierarchy of the U.S. Southwest appeared "as Protestant as they do Catholic" and was "much in agreement with the new conquerors for whom religion is nothing more than a word that means nothing in particular, neither positive or negative."

Around this time, the first Vicar Apostolic of Tucson, Jean Salpointe, removed Antonio Borrajo and placed Pierre Bourgade (who later succeeded Salpointe as Bishop of Tucson) in Socorro and San Elizario in 1872. Borrajo relocated to Guadalupe Bravos, Chihuahua, a community formed by Mesilla's exiles after the Gadsden Purchase. Padre Borrajo remained close to his old Lower Valley parishes and continued his battle against "Gallic" clergy and Protestant newcomers from his pulpit.<sup>14</sup>

Historians Charles Sonnichsen and Paul Cool detailed how the Salt War stemmed from a popular protest by Hispanic farmers and ranchers against an Anglo "salt ring" who sought to privatize previously communal Guadalupe Salt Flats east of El Paso. Charles Howard, a Democrat who became the District Judge of El Paso County in 1874, used his political power to file a claim on the salt beds. In September 1877, Judge Howard had two men arrested for "trespassing" on his claim. These arrests provoked an angry reaction on both sides of the border, as a mob captured and imprisoned Howard in the San Elizario jail. Judge Howard bargained his way out by promising to leave the state and pledging to relinquish his claim on the salt beds.

Howard departed for Mesilla; however, he soon returned to El Paso to exact revenge on Louis (Luigi) Cardis, the man he accused of instigating this mob. Cardis, an immigrant from Italy who spoke Spanish and emerged as a popular leader of the area, had his own interests in the salt mines and led opposition to Howard.

In October 1877, Howard confronted Louis Cardis in his store and murdered him. Texas Rangers arrested Howard for this murder, but after his arraignment and bond, Judge Howard left Texas on bail and returned to Mesilla.



*The transformation of Mesilla's San Albino parish church, as seen in these three photos, from an adobe chapel to a French inspired form epitomized the changes many Hispanic clergy resisted in the region after 1848. "San Albino Parish. Mesilla" Undated photographs. New Mexico State University Library, Archives and Special Collections.*





As El Paso simmered with tension over the murder of Louis Cardis, on December 1, 1877, residents from both sides of the Rio Grande organized a caravan of sixteen wagons to collect salt from the beds. Howard renewed his claims and returned to San Elizario to file suit. This act prompted Francisco “Chico” Barela, a rancher, to form a militia to seize Howard and take possession of the courthouse of El Paso County. While Barela was the leader of this force, Padre Borrajo reportedly incited the militia in a fiery sermon in which he allegedly shouted, “shoot all the gringos, and I will absolve you!”<sup>15</sup>

The company of Texas Rangers in El Paso County lacked the numbers to confront Barela’s men, and Judge Howard agreed to surrender to the militia. Peter (Pierre) Bourgade, the French priest who took Borrajo’s place in San Elizario, attempted to broker a deal between the militiamen and the Texas Rangers. Charles Howard agreed to surrender to Barela’s force to prevent an assault on the outnumbered Texas Rangers, as Bourgade warned of the full-scale war and retaliation that would result. The judge also agreed not to pursue the prosecution of the men who detained him and expressed hope that this would result in a truce.

After Charles Howard surrendered, the militia convened a tribunal that executed the judge and two of his allies.<sup>16</sup>

After receiving reports of a judge’s execution and descriptions of mob violence by Mexican citizens, the U.S. Army in Fort Selden, New Mexico, responded with a show of force and marched south. Many of the participants in Barela’s militia withdrew to Mexico.

The Salt War reached its tragic dénouement with the deaths of approximately fifty people from both sides of the border, many at the hands of Texas Rangers, and extensive property damage. Reports of Mexican incursions north of the border and the assassination of public officials inflamed public opinion in the United States and spurred congressional hearings in Washington.<sup>17</sup>

A hearing on this violence occurred in the United States Congress, titled “The El Paso Troubles in Texas.” Its report, issued May 1, 1878, described the region in these terms; “The inhabitants of the adjacent towns on both sides of the river have hitherto, for many years, lived in a state of amity and are intimately connected by the bonds of a common faith.” The report added that “if they have a good man to lead them, there is not a more pacific, easily governed, and loyal people on the face of the earth; if they have a bad one, they will be just as bad as he would have them.”<sup>18</sup>

In this view, Mexicans were a peaceful people who only rose in violence when external agitators, such as the Spaniard Borrajo or Italian Cardis manipulated their feelings. The Salt War also took place in the context of heated debate over the leadership of the Catholic Church in the parishes of



the El Paso region. Many Anglo-Americans were concerned with whether “good” or “bad” priests held sway over Hispanic Catholics in the borderlands. Ramón Ortiz and Peter Bourgade represented the leadership they preferred over figures such as Borrajo. Ortiz further cemented his moderate reputation when he provided expert testimony in a translated statement to the U.S. Congress.<sup>19</sup>

Ortiz firmly sided with Hispanic residents who felt their right to collect salt remained protected by the Treaty of Guadalupe Hidalgo and denounced lawlessness. According to Father Ortiz, “The absence of federal troops on both sides of the river is the reason why the authorities of one or both sides of the river cannot chastise or punish the bandits or criminals which abound on both sides.”<sup>20</sup>

Father Ortiz testified that the chaotic situation did not simply consist of alleged Mexican predations on settlements across the border to the north; he argued that Anglos also engaged in banditry and that the Salt War was part of a broader conflict. Father Ortiz received praise and personal respect from many Anglos; however, his words did little to halt the rapid changes that arrived by the 1880s. The Salt Flats entered private hands, and new forms of industrial processing made manual gathering techniques unprofitable. A much more extensive process of change, spearheaded by new railroads in 1881, swept the area in the wake of the Salt War.

The Salt War followed a purge of Hispanic clergy north of the border. The four priests who protested the diocesan realignment in 1872, Borrajo, Baca, Real y Vásquez, and De Jesús Trujillo, finished their careers in Mexico. The two priests with the most extensive cross-border interests, Antonio Borrajo and Ramón Ortiz, both died near the end of 1896 in Ciudad Juárez, Paso del Norte’s name after 1888.<sup>21</sup> By their passing, the U.S.-Mexico border was also an ecclesiastical divide between dioceses with starkly different leadership. While the bonds of a common faith endured between individuals and families, Catholic institutions faced more rigid borders.

Only later in the twentieth century did dioceses

seated in El Paso and Las Cruces become open to Hispanic leadership and more direct transnational ties with their Mexican counterparts.

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## **Endnotes**

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13. Taylor refers to Ortiz’s “self-exile.” Mary D. Taylor, El Camino Real de Tierra de Adentro, Vol. 2 (Bureau of Land Management, New Mexico State Office, 1999), 274. Clashes between Borrajo and Mexican officials appear in Papers Relating to Foreign Affairs Part 3, (Washington: Government Printing Office, 1867), 60-61.

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15. This apocryphal quote appears in various contem-

porary sources of the Salt War, such as the U.S. House of Representatives, “The El Paso Troubles in Texas Hearing,” Congressional Record, 45th Congress of the United States (House Executive Documents 45th Congress 2nd sess. H. Ex. Docs. v. 17 n. 74-88, 91-101 No. 1809), 98. The quote also appears in The Mesilla Valley Independent, January 12, 1878

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# Black Pioneers in the Borderlands

*By Joseph Seagrove*

The conclusion of the Civil War marked a turning point for the nation as President Lincoln envisioned a period of reconciliation and unification with the South. This was indeed the dawn of a new era in American history, as emancipated slaves throughout the South enjoyed newfound legal freedoms under the protection of federal troops. However, this would prove to be short lived.

The Compromise of 1877 would decide both the outcome of the contested 1876 Presidential election and the fate of federal soldiers stationed in the South. As a result of the compromise, military occupation in the former Confederacy would soon be replaced by Black codes and Jim Crow laws that established restrictions on employment, education, and voting rights of freedmen. Consequently, thousands of Southern Blacks chose to migrate west in search of freedom, safety, and economic independence.

Reconstruction was largely a political process, as Southern states were forced to accept new constitutional amendments pertaining to slavery before they could be readmitted to the Union. However, ratifying legislation and readmission would prove easier than regulating southern racial ideology. The established racial hierarchy that dominated the South for over two centuries was now being challenged, and changed, by a forced military occupation in the former Confederacy. As male freedmen enjoyed the privilege of the franchise during Reconstruction, the South saw the election of sixteen Black Congressmen as well as seats in several state executive offices, including Governor, Lieutenant Governor, and Secretary of State.<sup>1</sup>

This era of racial equality would not only be

brief, it would soon be followed by an increase in state sponsored violence and legislation aimed at curbing the rights of Southern Blacks that historian Rayford Logan referred to as the “Nadir of race relations.”<sup>2</sup> The withdrawal of federal troops in 1877 left freedmen with no tangible legal protections from white mobs or the legal obstacles that Southern states implemented to specifically target and limit the economic and political rights of Black citizens. This left Southern Blacks in a precarious position; most had no formal education, little property, and few economic prospects. Faced with the likelihood of increasingly restrictive Black codes, many freedmen sought an alternative outside of the Jim Crow South.

Thus began an era of Black townships and migration in America. The first wave of Black settlers, the Exodusters, began leaving the South in the 1870s in search of economic freedom and the opportunity to own land.<sup>3</sup> Beginning in 1877 with the establishment of Nicodemus, Kansas, there were a series of towns created solely by Black settlers, primarily in the American West and borderlands.

Historian Norman Crockett, one of the pioneers in the study of Black communities, defines a Black town as “a separate community containing a population at least 90% Black in which the residents attempted to determine their own political destiny.”<sup>4</sup> These independent towns offered Blacks the opportunity to own land and determine their fate, without the limited economic prospects and violence of the Jim Crow South.

This period saw the evolution and growth of two distinct settlements in New Mexico; one community, Blackdom, was founded as a Black town, and Vado, a previously established community

that became a haven for Black pioneers. While the town of Blackdom failed to survive, and Vado never became a Black community, they can still be viewed as successful endeavors with enduring legacies.

### The Genesis of Blackdom, New Mexico

During the Mexican-American War (1846-1848), Henry Boyer, a Black soldier in the U.S. Army, travelled extensively throughout the region that would eventually become the American Southwest. While serving in the war, he saw action in the Battle of Brazitos, just south of what is now the city of Las Cruces, New Mexico. Although the battle was brief, Boyer spent a considerable amount of time in the area and marveled at the lush landscape of the Mesilla Valley. He would later regale his family with stories about the beauty and farming potential of the southern New Mexican countryside.<sup>5</sup>



**Historic Marker for the Battle of Brazitos at the intersection of NM-478 and NM-227 in Vado, New Mexico. Photo by author.**

were successful, he knew that life in the South was both difficult and dangerous. This was illustrated in a violent attack that Boyer witnessed while waiting for a haircut. As a Black barber was shaving a white patron, he inadvertently cut his neck. Incensed by the perceived slight, the white customer retaliated by fatally shooting the barber.<sup>7</sup>

Henry's youngest son, Frank Boyer, grew up hearing these stories. Born in Georgia shortly after the conclusion of the Civil War, Boyer would go on to graduate from Morehouse College with a degree in education before accepting a teaching position in Atlanta.<sup>6</sup> While his career and personal life

After a brief trial that saw the man acquitted by an all-white jury, Boyer made the decision to pursue a homestead in the borderlands.

This episode prompted Boyer and a friend, Daniel Keyes, to migrate from Pelham, Georgia to the New Mexico Territory. Traveling by foot, the two men set off in January 1900 and reached Roswell, New Mexico, some 2,000 miles later, in October 1900.<sup>8</sup> The men funded their journey by taking odd jobs along the way, finally accepting employment in southeastern New Mexico from local cattle ranchers. The following year Boyer was joined by his wife, Ella, and their small children.<sup>9</sup>

While neither Boyer or Keyes have indicated why they stopped in Roswell rather than proceeding to southwestern New Mexico there could be several reasons why the men ended their journey prematurely.<sup>10</sup> After almost a year of traveling on foot the two men could simply be weary or they may have settled for a suitable location outside of the Jim Crow South before winter set in. Perhaps they were drawn to the abundant farmland in the fertile Pecos Valley. They would not be alone in this regard; at the time of their arrival, Chaves County was known as a "homesteader's paradise" as settlers continued to flock to the valley. By 1910 Roswell, which is situated in the heart of Chaves County, had become the third largest city in the New Mexico Territory.<sup>11</sup>

While there is no official account of how many Black families joined the Boyers during this period, they were not the only Black residents in the region. There was a Black presence, albeit small, that was already residing in Chaves County prior to Boyer's arrival; in 1900 the United States Census reported a total population of 66 Black citizens.<sup>12</sup> Nor is there an official account of when discussions began on the establishment of a Black town, but Frank Boyer was not alone in the desire to create one.

Indeed, on September 5, 1903, Boyer and twelve other members of the Black community filed the Articles of Incorporation for the Blackdom Townsite Company at the Chaves County Clerk's office. In it they outlined some of the com-



munity's goals, including the desire to 1) Establish a Negro colony, 4) Maintain and establish irrigated farms to handle, sell and dispose of products and, 5) Establish a system of education among the inhabitants... and to improve the health, welfare and prosperity of such inhabitants<sup>13</sup> While this was an important first step in establishing a Black town, this merely created a hypothetical community as most of the founders still lived and worked in the nearby towns of Roswell and Artesia.<sup>14</sup>

Several contemporary historians have recently argued that Blackdom was a "Promoters' Enterprise" that was established primarily for economic purposes, but the language employed in the Articles of Incorporation conveys an altruistic, utopian ideal.<sup>15</sup> However, Roosevelt Boyer, one of Frank Boyer's sons, disputes the notion that his father was interested in establishing Blackdom as a financial venture. In an interview with historian Maisha Baton, he claimed that his father had the opportunity to sell land for a profit but declined because it would "make it cost more for the negroes... I won't do it."<sup>16</sup> Roosevelt claimed that his father's goal was to create a self-sustaining Black town because he believed that "if they had a negro colony they [would] be better off."<sup>17</sup>

Hobert Boyer, another one of Frank's sons, further explained his father's vision, "My dad was trying to get coloreds out here, advertising everywhere... we had something to share, we'd help them get a house started and crops in the ground."<sup>18</sup> Indeed, many families stayed with the Boyer's when they initially moved to the area. Former Blackdom resident Lillian Collins Westfield noted that when her family arrived in 1908, they stayed with the Boyers for six months.<sup>19</sup>

Rather than immediately applying for homesteads in Blackdom, the town founders opted to create what historian Timothy Nelson referred to as a "racial sanctuary."<sup>20</sup> To entice Black pioneers to settle in New Mexico they began purchasing advertisements in newspapers throughout the South and Midwest. These ads touted Blackdom as a "refuge" and a "colony for negroes from the southern states."<sup>21</sup> While it is impossible to gauge

**Refuge for Negroes.**  
**Santa Fe, N. M., Sept. 10.—The Blackdom Townsite Company has been incorporated with a capital stock of \$10,000. The purpose is to establish a colony of negroes from the southern states in Chavez county, the name of the town to be Blackdom.**

*Advertisement for Blackdom, Elkhart Weekly Truth (IN), Sept. 13, 1907*

how effective the advertisements were in drawing Black residents to Chaves County the population did increase to 233 Black citizens in 1910, a 350% increase from the previous decade.<sup>22</sup>

The application for the creation of an all-Black community did not go unnoticed by the local population. The Santa Fe New Mexican featured a front-page article on the proposed community noting that it was a "town and settlement exclusively for negroes" that expected up to 10,000 settlers.<sup>23</sup>

Other area newspapers struck a different tone. In the fall of 1903, there were several articles in the Artesia Advocate that warned the residents of Blackdom to "work hard, behave themselves, and do exactly what their white neighbors want them to do" while lamenting that, "Roswell is [now] threatened with an overflow of worthless negroes."<sup>24</sup> However, the public attempt to intimidate the local Black population did little to impede the town's progress and Blackdom continued to attract new residents. This is noteworthy for several reasons. While New Mexico had no Jim Crow laws, the neighboring states of Texas and Oklahoma did. At the beginning of the century, from 1900 to 1910, there were over 100 lynchings recorded in Texas.<sup>25</sup> Living near the Texas-New Mexico border, reports of racial violence could easily travel to neighboring Chaves County.

More common than lynchings were instances of "whitecapping"; white vigilantes in Texas would use threats, intimidation, and violence to impose a strict racial hierarchy while limiting Black economic and political rights.<sup>26</sup>

Additionally, the demographics of the Pecos Valley changed over time as Southerners began moving into the area.<sup>27</sup> Roosevelt Boyer recalled “At first [local] whites did not mind. They were all from the North and they soon all moved out and left the place to the Southerners. They did not like nobody. They was (sic) hard on us as they could be.”<sup>28</sup>

Black towns needed several things in order to be successful: capital, people, and natural resources. For a brief period Blackdom had all three, but the lack of a consistent water supply would ultimately doom the community. Adequate water sources were an essential component for farming in the Southwest, particularly in the dry prairies of southeastern New Mexico. When annual rainfall was abundant, the community of Blackdom was able to produce enough crops for market, yet the region’s annual rainfall was not a consistent and reliable source for water. Successful farms in the region needed access to the Pecos River or to the area’s abundant artisan wells to irrigate farmland in drought conditions. Blackdom was situated too far west of the Pecos and the elevation of the town made it impossible for its distributary channels to reach it.<sup>29</sup>

Blackdom’s ill-suited location may have been influenced by racial hostility. In *As We Remembered It*, a local history of the region, longtime Dexter resident F. L. Mehhlop recalled that Frank Boyer and Daniel Keyes originally planned a Black community just outside of town that had access to the Pecos but “some of the Dexter citizens did not want a colony there, so they were encouraged to go farther west and file on land, which they did.”<sup>30</sup> Blackdom resident Hazel Taylor Parker confirmed this sentiment, recalling, “After Dexter started settling in, well, the people who was comin’ they was (sic) prejudice in their hearts... They did not want negroes around and this is why they moved further out.”<sup>31</sup> Establishing the community closer to Dexter, with access to reliable sources of water, could have had a profound effect on the future of Blackdom.

Progress was slow in the ensuing years as a

handful of residents began homesteading lots in Blackdom after the initial formation of the Blackdom Townsite Company. Most prospective residents still lived and worked in the neighboring communities of Roswell and Dexter.<sup>32</sup> However, the Enlarged Homestead Act in 1909 increased the amount of land awarded to settlers from 160 to 320 acres.<sup>33</sup> This would have a profound impact of the community of Blackdom as the number of homestead applications in the area would steadily grow.

This also coincided with an increased amount of media attention on Blackdom. The community continued attracting new residents as they publicized not only their existence as a Black town, but their achievements as well. In 1909, the *Roswell Daily Record* reported that the community had established its first church, which also doubled as the community’s school.<sup>34</sup> As the number of parishioners and schoolchildren in Blackdom grew, there was a need to construct a larger church as well as separate structure for the community school.<sup>35</sup> The *Santa Fe New Mexican* declared that “Blackdom Wants a School,” as it chronicled the town’s efforts to receive state funding for a new schoolhouse.<sup>36</sup>

In 1913, the *Twin City Star* reported that Blackdom “was established solely by Afro-Americans” and that there is “not a white family within sixteen miles.” The article also goes on to claim that the “founder of the town had only 35 cents when he started” but now “his farm is valued at \$40,000.”<sup>37</sup>

The most integral component in Blackdom was the establishment of a schooling system. As a teacher, Boyer knew firsthand the value of schooling and wanted to ensure that the children of Blackdom were each afforded the opportunity to receive a quality education. At this time New Mexico’s educational system was integrated, but this did not deter the local white community. White parents in Chaves County organized and demanded a separate school for the students in Blackdom. In an address to the *New Mexico State Historical Society*, local historian Elvis Fleming described the

first Blackdom school and its construction:

When the settlement started, it was in the Greenfield School District. Rather than integrate the school or build a separate one in Greenfield for the Black children, the Greenfield school board bought the building materials and let the Negro men construct a school at Blackdom.<sup>38</sup>

Members of Blackdom welcomed a separate school at the time. In an oral history, Roosevelt noted that his father also agreed with the construction of a separate school for the community, saying “Dad wasn’t use (sic) to negroes going to school with whites so he didn’t fight it. Better for black children to be in their own school.”<sup>39</sup> While the initial structure was small and only housed students through eighth grade, it played an important role in the community.

Boyer also had plans to incorporate other institutes of higher education beyond the small schoolhouse. Blackdom resident Lillian Collins Westfield noted that Boyer had envisioned the creation of a college in Blackdom similar to the Tuskegee Institute.<sup>40</sup>

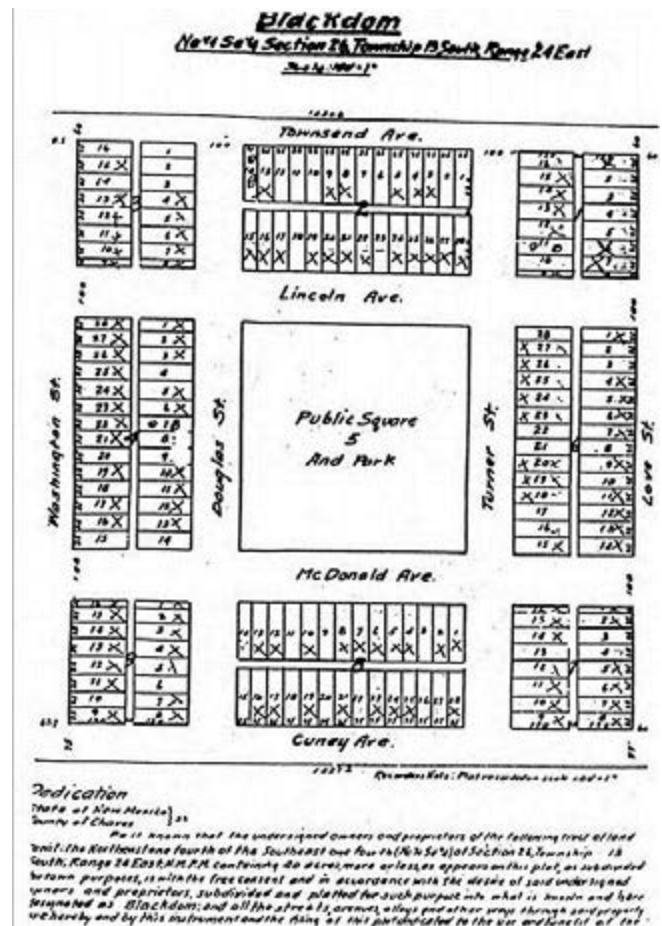
Blackdom’s Articles of Incorporation were amended in 1911, with just three members on the board of directors, Frank Boyer, his wife Ella, and Wesley William.<sup>41</sup> This allowed for greater control over the direction of Blackdom while allowing the community to continue to grow. Boyer seems to have taken the initiative in both the first charter of the Blackdom Townsite Company and its reformation. This is not surprising, as Boyer distinguishes himself from the original founders in several regards. First, he assisted in establishing Black towns in Georgia, Florida, and Alabama prior to migrating to New Mexico.<sup>42</sup> Additionally, he was a college graduate and had experience handling and registering legal documents that the town would need.<sup>43</sup>

The timing of the new charter should also be noted as it coincides with the quest for statehood in New Mexico. There may have been a hasty and concerted effort by the board to establish a legitimate town before New Mexico transitioned from

territory to state the following year.

This marked a period of rapid growth for Blackdom. The Blackdom Post Office was established in 1912 and a general store was opened and operated by James Eubanks, the first teacher at the community school.<sup>44</sup> The ensuing years would mark significantly above average rainfall in the region and Blackdom’s population would increase to a peak of 300 residents in 1916.<sup>45</sup> This was followed by several years of below average rainfall that caused Blackdom’s farming community to collapse in its infancy.

During this drought, the Boyers could have sensed that this may be their last opportunity to save the community that they had struggled to establish. On May 28, 1920, both Frank and Ella Boyer registered the Blackdom Townsite Plat with the Chaves County Clerk. The footprint for the



Sketch of Blackdom Townsite Plat, courtesy of Maisha Baton and Henry Walt.

proposed town featured 40 acres of subdivided plots that were centered around a community park.<sup>46</sup> While some of the lots were indeed sold, the success would be short lived; the Boyers had borrowed heavily to keep their farm operating and continued drought conditions left them unable to repay their bank loans.<sup>47</sup> Facing the unenviable prospect of losing their land, the Boyers chose to relocate to Doña Ana County in southwestern New Mexico in 1921 to start a new Black community.

Many Black families chose to stay in Blackdom, yet drought conditions continued to make commercial farming impossible. Additionally, New Mexico passed several laws limiting the number of artisan wells that could be drilled in Chaves County.<sup>48</sup> Ironically, the quest for new sources of water lead to an unexpected financial boon for Blackdom. Black farmers were drilling for water and inadvertently discovered several valuable oil deposits on their land.<sup>49</sup> To maximize future oil profits several farmers formed a collective, the Blackdom Oil Company, in 1919.<sup>50</sup>

Again, Blackdom's economic future was newsworthy as articles about new drilling prospects were featured throughout the Southwest.<sup>51</sup> Several members of the community profited from the Blackdom Oil Company throughout the 1920s, but the era of black gold would come to an end as the stock market crash reduced available capital that was needed to continue drilling in southeastern New Mexico.

The ensuing years saw several residents that were forced to sell their land below market value or simply abandon the town outright for neighboring communities. Blackdom resident William Taylor remembers being one of the last families to leave in 1929; his family eventually relocated to nearby Roswell after spending 18 years in Blackdom.<sup>52</sup> The community that began as a Black town at the beginning of the century with lofty aspirations of economic independence, political freedom, and equal rights, was now relegated to the past.

## Rebirth and Renewal in Vado

The history of Vado, New Mexico began in the late nineteenth century as settlers from Minnesota established a small town called Herron along the Rio Grande. This community did not last and was replaced a decade later by a small group of Quakers who christened the town Earlham. Like its predecessor, this town suffered a similar fate and the community, and its name, were in flux until the turn of the century when Vado was finally established.<sup>53</sup>

After leaving Blackdom, the Boyers traveled across New Mexico by wagon and arrived in Vado in 1921 to find a small, predominantly Latino, community. Hobart Boyer recounted the experience in an article in the *El Paso Times* in 1975, noting that “we were the first coloreds to move into the area and the first to farm Dona Ana County.”<sup>54</sup>

Undaunted, with little money, Boyer went on to rent farmland before purchasing small parcels of land on credit. The land was both abundant and cheap because of the high alkali content in the soil.<sup>55</sup> Boyer continued this process until he had accumulated almost 500 acres.<sup>56</sup> Now with a stable source of income, he began outlining plans to build another Black community in New Mexico.

Although soil and water issues would plague the Rio Grande Valley for decades, most area farmers were able to make a living by switching to cotton production. Due to lack of automation, many local farmers would actively recruit Southern Blacks to come to Vado to harvest and pick cotton each fall. In turn, this provided a steady influx of laborers into Vado. Although not always successful, Boyer slowly managed to convince many Black laborers to stay in the community.<sup>57</sup> Boyer was tenaciously persistent and the generosity that he often displayed in Blackdom was replicated in Vado as he courted potential newcomers. Bobbie Boyer, who was born and raised in Vado, recalls that Frank Boyer would personally “loan people money to buy farms. He would be a rich man if he had been paid back. But his interest was

to get the black community together.”<sup>58</sup>

In his first decade in the valley, some estimates credit Boyer with assisting approximately 60 Black families that settled into Vado.<sup>59</sup> Put in proper context, there were only 78 Black New Mexicans residing in Doña Ana County in 1920.<sup>60</sup> That number increases to 649 in 1930 and 666 in 1940. Perhaps more telling is the number of rural residents. The first time that the Census differentiated between urban and rural county residents, 1930, showed 357 Black citizens in Dona Ana County and 457 in 1940.<sup>61</sup>

The Boyer’s move to Vado coincided with another large exodus of Southern Blacks from the Jim Crow South. The Great Migration occurred in two waves, with the first wave occurring before the Great Depression and the second wave taking place during the post war economic boom. Although most Southern Blacks during this period chose to migrate north into urban areas, some felt that the prospect of owning land was the best avenue for economic freedom.<sup>62</sup> While this was the primary reason that Blacks chose to migrate to the borderlands, many moved to New Mexico to take advantage of the state’s education system.<sup>63</sup>

As a free territory and state, New Mexico’s schools were initially integrated. However, state legislators passed a law in 1924 that allowed municipalities to decide the issue of segregation on their own. Many cities, like nearby Las Cruces, chose to segregate their schools.<sup>64</sup> This left the schoolchildren from Vado with limited options to continue their education.

As a former teacher, Boyer understood the value of education and did not sit by idly. Although not a proponent of segregation, he knew that Black students in Vado could get a quality education and be treated fairly in a school under local supervision.<sup>65</sup> Seizing the opportunity, he and his sons built a small one room schoolhouse in Vado.<sup>66</sup> When the community outgrew this facility, he was instrumental in the construction of a new four-room school, named after Black author Paul Laurence Dunbar, that would house students from first through eighth grade.

Eventually the student body at the segregated school in Vado would grow to 175 students.<sup>67</sup> As the town expanded, Boyer established a high school and small college in Vado, finally realizing a dream that began in Blackdom.<sup>68</sup> It is unclear if there was a lack of funds to maintain the high school and college or if they lacked adequate instructors, but these institutions only lasted a few years.



*The Paul Laurence Dunbar Elementary School in Vado, New Mexico. Photo courtesy of Las Cruces Sun-News.*

After the closure of the local high school, students were bussed to segregated schools in nearby Las Cruces. Lincoln High School, a converted Black church, was in use for a decade, from 1924 until 1934. That year Booker T. Washington was opened and replaced Lincoln as the segregated high school.<sup>69</sup>

In the 1940s, several parents from Vado searched for alternatives to the Las Cruces school system and contacted the superintendent of Gadsden Independent School District. He took the matter to the school board, which voted to desegregate their school district. Vado’s high school students attended Gadsden High School until *Brown v. Board of Education* (1954) desegregated schools nationwide.<sup>70</sup> However, by this time the number of Black students in Vado had diminished considerably.

Because they were the first Black family in the valley, or because of their high profile in the community, the Boyers were the target of Ku Klux Klan activity during the 1920s. Hobart remembers a particular incident where “they burned a cross



just opposite the house on the other side of the highway... I guess they thought that was going to run us off or make us less active in the valley.”<sup>71</sup> He felt that Klan activity was limited in the area because of the large Latino population. Undaunted, the Boyers continued to encourage Black migration into Vado and supported local school and church activities.

Prior to his passing, Boyer knew that his dream of establishing an enduring Black community would not be realized. While this is certainly the case, it does not diminish his legacy. He established two communities in New Mexico that allowed Black pioneers from across the country the opportunity to own land and live in an area unmoled from Jim Crow laws. While not everyone managed to keep their homestead, some residents profited immensely as members of the Blackdom Oil Company. But his most enduring legacy is the creation of a strong education system in the communities he founded.

First, in Blackdom, he oversaw the creation of a separate school district and the construction of a schoolhouse for Black students. Despite the region’s position on segregation, he ensured that the students of Blackdom were treated fairly and received a quality education by overseeing the local school system. When faced with a similar situation in Vado, he orchestrated the construction of several schools for the community and founded a high school and college. The young scholars that were provided an equal opportunity for an education in these Black communities is incalculable.

His legacy is further characterized by future generations that continue to reap the benefits from the strong Black community that he helped foster. Bobbie Boyer clearly recalls that education was strongly emphasized in Vado and that “almost every child finished high school and most went to college.”<sup>72</sup> In a 1980 interview, Hobert Boyer recounted the same sentiment, noting that:

“We had kind of a record in the valley that all the children would finish high school... When I came here, I had three dreams – to farm my own land, live in my own house,

and put all of my children through college. Now I can say I’ve done all three.”<sup>73</sup>

Indeed, he was able to assist all nine of his children as they attended college. Frank Boyer’s granddaughter, Ethel Boyer Stubbs, represents yet another example of his legacy. After earning a Bachelor of Arts degree in education from Denver University she went on to earn her master’s degree from Eastern New Mexico University. She later followed her grandfather’s footsteps and became a schoolteacher in Clovis, New Mexico.<sup>74</sup>

Vado also served as a cultural center for Blacks in the region. Former Vado resident and local historian Gerald Conley noted that people would come from Anthony, Las Cruces, and as far away as Animas, New Mexico, to visit Vado during its heyday.<sup>75</sup>

Black El Pasoans, who were already drawn to New Mexico’s hospitality industry because of the lack of Jim Crow laws, also frequented Vado and patronized the black owned businesses in the community.<sup>76</sup> Additionally, the Negro Motorist Green Book also featured a listing for Fuller’s, a motel and restaurant located in Vado, throughout the 1950s and 1960s.<sup>77</sup>

Despite the lack of formal Jim Crow legislation in New Mexico, there were still restrictive racial measures that were implemented in nearby Las Cruces. Conley remembers establishments, such as the Rio Grande Theater, which forced Black patrons to sit in the balcony. Harold Morris, a Las Cruces resident whose family relocated to New Mexico from Louisiana, recalled a distinct difference between New Mexico and the South, noting that:

The subtle discrimination of Las Cruces was worse than the blatant discrimination of Louisiana. In Louisiana, the Jim Crow signs were posted right there for all to see, but the white people were polite to us. Here, there were no signs, but white people were not polite.<sup>78</sup>

He also remembers segregated lunch counters at the Rexall Drugstore as well as being relegated to the balcony in the Rio Grande Theater. Ad-

ditionally, he noted similar treatment at the State Theater, “[they] had a separate side aisle for us. The funny thing was that when our side aisle was full, we were allowed to sit in the white section. Looking back, the whole thing seems so pointless.”<sup>79</sup>



*Rio Grande Theater, downtown Las Cruces, New Mexico. Photo by author.*

Unlike Blackdom, Vado’s demise as a Black community was not due to lack of capital or natural resources. Rather, Vado was simply a victim of time and social progress. The opportunities that education afforded many young Vadoans led to increased economic prospects outside of the small farming community. External forces also had a profound impact such as the construction of Interstate-10, a highway that bypassed the town. Conley also suggested that World War II and desegregation effected Vado. After the war, there were more opportunities to live and work where one preferred, which allowed residents to seek alternatives to small Black towns.<sup>80</sup>

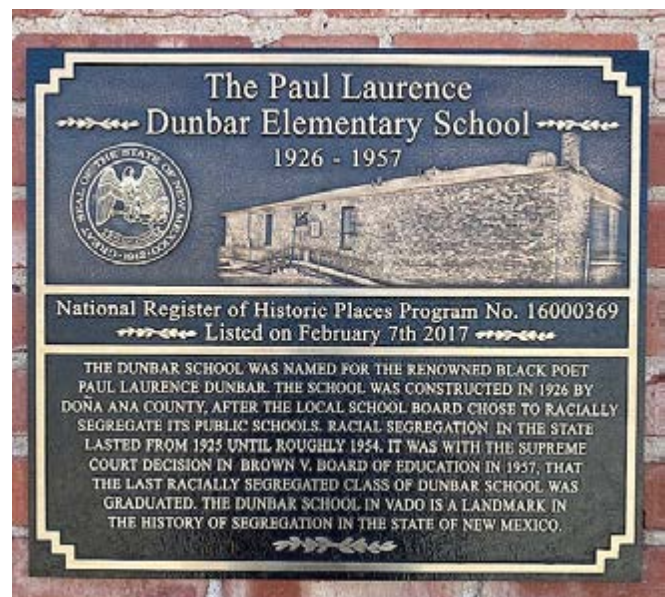
This trend would continue as the Civil Rights Movement of the 1960s ushered in an era of great



*National Register of Historic Places marker for Paul Laurence Dunbar Elementary School in Vado, New Mexico. Photo by author.*

er racial equality that proved to be the demise of the Black town phenomenon, but it would not be forgotten. There have been several recent efforts to memorialize the Black pioneers in the borderlands that established Black towns. Beginning in the 1990s, there were several attempts to create a memorial and park for Blackdom in Chaves County, but funding and interest waned over time.<sup>81</sup> In 2002, New Mexico created a historical marker on U.S. Highway 285 near the former Blackdom town site that commemorates the community’s achievements.<sup>82</sup>

In Vado, the segregated school that served the community for three decades was added to the National Register of Historic Places in 2017.<sup>83</sup> While no longer used as a school, it now houses a Head Start program for the community.



While the physical remnants of Blackdom are gone, and the Black community in Vado has largely relocated, the goals and aspirations of Frank Boyer and the Black pioneers that followed him continue to live on. Boyer was able to create two communities in New Mexico that provided safety, religion, economic opportunities, and educational services for its residents during a period that saw an increase in racial violence and state sponsored legislation aimed at restricting the basic civil rights of Black citizens. Boyer and the Black pioneers that settled in the borderlands deserve recognition for their efforts and historians should continue to research and study the plight of Black towns during the Jim Crow era.



***Intersection of Boyer Road and NM-478 in Vado, New Mexico. Photo by author.***

Frank Boyer plays a prominent role in the creation story of both Blackdom and Vado. Because primary sources from this period are scarce, the narrative of these two communities has largely been told by Boyer and

his family, with little to dispute the veracity of their accounts. But there are several factors that corroborate his role in these communities.

First, he was a man that was truly ahead of his time: he had a college degree, worked previously as a teacher, served in the military, had prior experience establishing Black towns before he arrived in New Mexico, and represented the pioneer spirit that was needed to settle in the borderlands. He also felt secure enough in his ability to homestead that he brought his family to the frontier, while actively encouraging other Black families to join him.

Additionally, he had the confidence to continue attempting an endeavor that he had previously failed. Ultimately, he sought a place where he could create a self-sufficient community for his

family to live, which he was able to accomplish twice over a two-decade period.

### **Examining Black Town's Today**

The study of Black towns is a complex subject. First, the era of Black towns comprised a relatively short period of time and their proliferation was influenced by several external factors, namely the restrictive Jim Crow statutes that had been implemented throughout the South. In turn, Jim Crow laws directly influenced the Great Migration; the mass exodus of Southern Blacks that poured into northern cities and western territories looking for economic opportunities and safety.

Additionally, the field has produced relatively little research into the phenomenon of Black towns, aside from the larger Black communities in Kansas and Oklahoma. Smaller communities, particularly in the borderlands, have been ignored, overlooked, and in many cases, forgotten. While people, places, and events always run the risk of omission from the historical narrative, the recovery of lost Black towns comes at a perilous moment for historians. Today there is a concerted effort to politicize the past by excluding the very factors that necessitated the need to create Black towns. This is further complicated by the lack of tangible physical structures, documentation, and living witnesses to these communities. Historians exploring Black towns must continue to come up with creative ways to investigate the past and parse through available archives.

Including the narratives of Black pioneers that settled in the area provides a more accurate and complete account of borderlands' history. Black settlers flocked to the western territories at the turn of the century in search of land and economic freedom. Many, like Frank Boyer, found a place with "no one to help, [and] no one to hinder" their progress.<sup>84</sup> These Black communities overcame obstacles and experienced varying levels of success, including Blackdom and Vado.

Even though the Black towns in New Mexico did not experience a sustained existence, their legacy endures. Black pioneers, particularly Boyer,



ensured that each town had its own school and the schoolchildren in the community received a quality education, even in the face of a segregated school system. Ironically, this is what led to the downfall of Vado; educational opportunities and desegregation provided access to jobs and communities that were previously inaccessible to people of color and the need for separate Black towns was no longer necessary.

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# The Magdalena Stock Driveway

## The Last of the Great Western Cattle Trails

*By Leah Tookey*

New Mexico in the mid to late 19th century was cattle and sheep country. Ranchers all over the Territory were running large herds of livestock. There were very few fences and most of the land was open for grazing, especially in Southern New Mexico.

The Goodnight-Loving and Chisum Trails were the routes most ranchers in the eastern part of New Mexico Territory utilized to move their livestock to railheads where their cattle could be shipped to markets in the East for processing. On the western side of the territory, both

sheep and cattle men used the Magdalena Trail. The Magdalena Trail was as important to ranchers in New Mexico as the more famous Goodnight-Loving and Chisum Trails, but the old cattle trails in the east faded away in the 1880s and 90s when barbed wire, windmills, and railroads arrived in the Territory. The Magdalena Trail persisted into the early 1970s which sets it apart from those trails in the east.

The Magdalena Trail began in 1885 when the Atchison, Topeka, and the Santa Fe Railroad (AT&SF) opened a branch line from Socorro to Magdalena, New Mexico and built shipping pens in Magdalena. This railhead would make it possible for livestock producers to load their animals on the trains for transportation to the East. Before

this railhead, ranchers moved their livestock on the hoof down the 16-mile trail to Socorro.

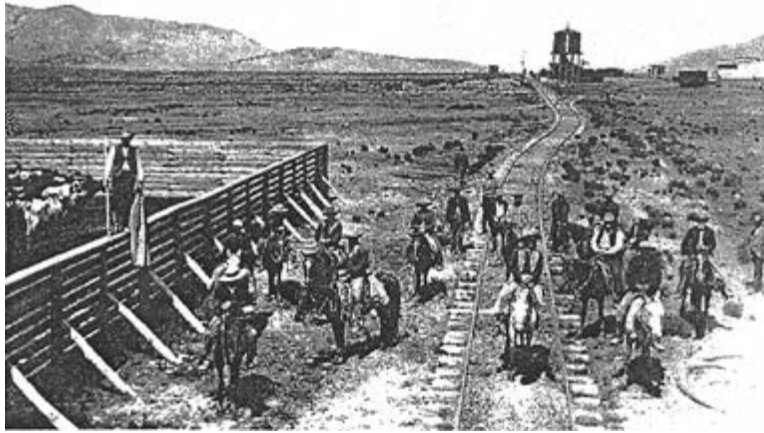
Stockman as far away as Springerville, Arizona and Fence Lake and Reserve, New Mexico began trailing their cattle and sheep down the path to the railhead in Magdalena. It served such a large area

because there was no other railhead within 125 miles of Magdalena. In 1885, the surrounding country was sparsely settled, although fully stocked with cattle and sheep. Each rancher at that time operated on a comparatively large scale. According to records from the AT&SF, the peak

trailing year was in 1919 when 150,000 sheep and 21,677 cattle made the trip.

To understand why the Magdalena Trail was so important to New Mexicans in the 19th and 20th centuries we need to look back a few decades and review the history. In 1862, Congress passed the Homestead Act which opened the West to homesteaders who were looking for land to farm and were no longer able to find free or cheap land in the East due to expanding settlement. Homesteaders could petition the government for 160 acres of land where they had to live for five years. They were expected to improve the land and when the five years were up, the land was granted to the individual farmer.

In 1862, and through the end of the 19th



*Magdalena Stockyards ca. 1885. Photo courtesy of the Socorro Historical Society.*



*The Magdalena Stock Driveway. Courtesy of the Bureau of Land Management, Socorro Field Office.*

century, this system did not work well for settlers in the West where you couldn't make a living on 160 acres because it was too dry to grow crops, so much of the West was left unsettled except by large-scale ranchers like John Chisum.

Because of this difficulty, the government tried to come up with ways to persuade farmers and ranchers to settle the West. Settlement increased slowly aided by various land laws. In 1916, Congress passed the Enlarged Stock Grazing Homestead Act. This piece of land law provided settlers 640 acres of public land. It allowed farmers to homestead lands originally deemed good only for livestock grazing and growing forage. With this change more than 70 million acres of public lands were privatized.

With this new policy in place, stock growers realized the arrival of multitudes of homesteaders into the region, claiming 640 acres of land per family that had previously been used for stock grazing and trailing, might effectively cut them

off from their marketing points. So, in November of 1916, members of the New Mexico Cattle and Horse Growers Association and the New Mexico Wool Growers Association met and petitioned the Secretary of the Interior for a formal withdrawal of the lands used for moving livestock to the railhead in Magdalena.

In answer to the petition, the Interior Department, in February of 1918, designated the Magdalena Trail a "Stock Driveway." One of three in New Mexico and nine in the Nation. Controversy immediately arose between the stockmen and the homesteaders. The settlers felt that the Driveway would deprive them of the possibility of expanding their homesteads while the ranchers felt the strip of land was necessary to provide forage for the large number of animals that would use the driveway.

The Driveway was five to ten miles wide in some places so that there would be enough forage available to the trailing herds. However, while

stockmen were assured of a route over which to move their stock, the land was still open range, and the adjoining farmers and ranchers could still use the land for their own cattle and sheep to graze.

Stock Driveway users had no assurance of sufficient forage to maintain their animals while in route to the trailhead. Due to the long drive and overgrazed trail, the stock often arrived in Magdalena in poor condition and the producers suffered from a reduced price for their beef. The overuse and abuse of the Driveway continued until the 1930s when in response to the severe dust bowl conditions, Congress passed the Taylor Grazing Act of 1934.

One of the many New Deal projects, the purpose of the Taylor Grazing Act was to stop injury to the public lands; provide for their orderly use, improvement, and development; and stabilize the livestock industry dependent on the public range. The Act converted Federal rangeland from a commons system to a permit-based system. This resulted in a limited numbers of animals grazing in a particular area. The new law effectively closed the rangelands to homesteading in western states.

The law ended open grazing and required permits. A new government agency, the Division of Grazing was established to administer permits and maintain rangeland. The Division of Grazing was later changed to the US Grazing Service, and in the 1940s, the Grazing Service became the Bureau of Land Management.

With this new land policy in place, Driveway users needed more understanding and input so in 1936, more than 100 people gathered to discuss how ranchers could work with the Division of Grazing and manage the Stock Driveway. Members of the Cattle and Horse Growers and Sheep Growers associations were most active in the group,

The driveway users decided the driveway should be fenced to prevent grazing except during

the drives to Magdalena and wells were needed to provide adequate water for the livestock. To prevent the use of the driveway as a place to graze and fatten livestock, they required cattle to travel at least ten miles per day and sheep and goats at least five miles.

In 1935, another New Deal project arrived in western New Mexico. A Civilian Conservation Corps (CCC) camp was established on the Driveway between Magdalena and Datil, New Mexico. The CCC employed unmarried men between 17



**CCC construction of the Stock Driveway fence. Courtesy of the Palace of the Governors, #147671.**

and 23 years old, a group that was especially hard hit with unemployment during the Great Depression. A force of about three million strong, working all over the USA, the young men lived in work camps and earned a base pay of \$30 a month, most of which was sent home to their families.

The CCC men who were assigned to the Magdalena camp built about 200 miles of 5-strand fencing to enclose the trail and drilled wells every ten miles with concrete water tanks and drinking troughs. The project was completed in 1942 when the CCC was abolished.

A winter grazing season on the Driveway was established in 1940 which allowed for 800 head of cattle and 5,000 sheep to graze for a four-month period. Rules were set up to allot the grazing use based on need. The first grazing use was considered an emergency measure and a grazing fee was not charged. Ranchers adjacent to the Driveway could apply for the right to use the Driveway.

There were three classes assigned for this grazing period. Class I was for applicants within or near the grazing district who by reason of adverse weather conditions or other factors beyond their control had extreme need for the forage on the Driveway area and who had not had grazing use in the area in the preceding year. Class II was for applicants within or near the district who had need for the forage on the Driveway area. Class III was for all other applicants. The winter grazing took



place between December and March. Summertime was used to restore forage in preparation for the fall drives.

With this system in place, overstocking never took place and forage and water were always available. Many trail users reported that their herds arriving in Magdalena weighed more than they did when they started out and brought premium prices due to their excellent conditions.



***Water Troughs on the Magdalena Stock Driveway. Courtesy of the New Mexico Stockman. March, 1956.***

Another severe drought between 1946 and 1955 however, led to a new reduction of livestock on all ranges in the area and reduced the average animals trailed over the Driveway to 6,600 cattle and 27,600 sheep. The number of sheep had been declining for many years based on market demands, but cattle numbers had risen.

In 1946, monies for the Government grazing services were drastically reduced and funds for public land maintenance were cut off by the Congress. In August of 1946, stockman rose to meet the challenge and gathered at the Aragon Hotel in Magdalena to form the Magdalena Stock Driveway Association. The non-profit organization planned to maintain the district grazing office and the facilities of the Driveway. To raise the needed funds, the association instituted a system of charges for trailing and winter grazing on the Driveway. They eventually entered into an agreement with the BLM to administer the Driveway. The carry-

ing capacity of the Driveway was set each year by representatives of the BLM.

In the 1950s, the highway department began rerouting and upgrading Highway 60. The Association was unhappy about the proposed culvert along the new road. There were no bridges or underpasses for cattle to move along and drovers were forced to move their livestock back and forth across the blacktop roads. Many ranchers claimed that cattle wouldn't cross the white lines on the road, and they were forced to throw dirt on the roads to cover the lines.

As roads improved more and more, ranchers began shipping their cattle in trucks. Many considered cattle drives outdated. However, some cattlemen felt that the drive along the Magdalena Trail added weight to their animals and a ride in a bumpy truck led to weight loss and bruised and damage meat. These cattlemen continued to use the Driveway until 1971 when the Santa Fe Railroad petitioned the Interstate Commerce Commission to close the 16-mile line between Magdalena and Socorro. Shortly after the closing of the line, the BLM decided to break up the Driveway and allow ranchers with property adjoining to purchase the land.

In 1978, the last two officers of the Driveway Association donated the parcels of land still owned by the Association to the Good Samaritan Nursing Home. The sale of the land helped build a new nursing facility on the western edge of Socorro.

If you visit Magdalena today, you can still see the pens, troughs, and depot that are maintained by the Magdalena Chamber of Commerce.

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# Anatomy of Spanish-Navajo Negotiations in the Treaties of 1805, 1819 and 1823

*By Joseph P. Sánchez, PhD*

Throughout New Mexico's early history, negotiations, written and un-written, between Spanish Colonial (1598-1821), and later Mexican Territorial (1822-1848), settlers with various bands of Plains and Mountain tribes were made many times throughout a large geographical area within New Mexico's historical-regional setting. Plains and Mountain tribes lived in the vast mountainous region stretching from El Paso to Taos, beyond to the Four Corners of Arizona, Utah, New Mexico and Colorado as well as eastward to the western edge of the Great Plains and as far south as the Big Bend country of the lower Río Grande. Similarly, Spanish Colonial, and later Mexican Territorial period treaties made in New Mexico with certain bands of Navajo (known as Diné meaning "the People") who approached Spanish officials for terms, were not based on surrender but rather on mutual peaceful aims.

In general, such agreements were not long lasting. The treaties, examined herein, that were made in 1805, 1819, and 1823, not only reflect the pattern of terms agreed upon but also, exemplify the reasoning behind them which demonstrated neither conquest of or submission by the Navajo bands. Notably, Spanish officials recognized that bands were groups from larger tribes, such as the Navajo, which they regarded as nations ("*naciones*" as Plains and Mountain tribes were designated). Officials often noted tribal territorial perimeters in the treaties negotiated.

In many ways, the referenced treaties that survived as written documents in Spanish and Mexican archives reveal events as they occurred from the Spanish, and later, Mexican viewpoints. Other than meetings between New Mexican officials with the Navajo bands mentioned in the treaties, little,

if anything is known about discussions the Navajo bands may have held in their private councils as theirs was an oral tradition that left little trace behind in that regard. As their dialogs in meetings are not known, reliance on the surviving written documents for the recorded incidents leading to and including the terms of agreement reveal related events as they and their historical aftermaths occurred. Thus, the vagaries of the diplomatic encounters with the Navajo relate a perspective expressed in the negotiated treaties as they were written.

Within the context Native American territoriality and European sovereignty<sup>1</sup> in relation to treaty-making and Spanish/Mexican period-Navajo diplomacy, it is important to note that from the earliest contacts made with Plains tribes, Hispanic settlers realized that Spanish domination of the region where they lived would not be possible in their day. Between 1601 and 1848, New Mexican governors practiced a dual Indian policy: one for Plains and Mountain tribes and another for settled Pueblo tribes.

The policy for tribes such as the Navajo, Apache, Ute, Comanche and other Plains tribes was based on fear that the outnumbered New Mexican settlers would be overrun by the referenced tribes should, for example, a trade deal go wrong. Thus, between 1601 and 1848, no one was allowed onto the Great Plains without a license from the governor under penalty of law. It was decided that Plains and Mountain tribes would be dealt with as "*naciones*" (nations) and Spanish treaties would govern their relationships. Such a policy, although not always obeyed by traders, became a long-term practice in New Mexico under Spanish Colonial and Mexican Territorial gover-

nance. Historically, tribes such as the Apaches, Navajos, Comanches, and Utes were never conquered by Spain or Mexico.<sup>2</sup> Indeed, later U.S. aggression against them<sup>3</sup> resulted in their defeat and subjected them to removal onto reservations and, later, as a part of acculturation efforts, subjected their children to boarding schools. It should also be noted that relationships between Pueblos and Navajos were not static in terms of aggressions, for there were often periods of peaceful relationships.

The second part of the dual Indian policy referred to the Pueblos, who, like their Hispanic counterparts, were a sedentary farming people, who also served as allies against the enemy *naciones*. As in early encounters with Pueblo leaders, who, for survival purposes, pledged their allegiance and homage to Spanish sovereignty, the Pueblos were treated as vassals of the sovereign Spanish crown in accordance with the Laws of the Indies. Under those terms, the Pueblos enjoyed a protected legal status in the New Mexico inclusive of recognition of Pueblo lands by issuing them their own Spanish land grants.<sup>4</sup> Within the evolution of the historical process, recognition of tribes on a nation to nation bases continues to this day under the United States.<sup>5</sup> While numerous encounters may have taken place in New Mexico in earlier times, the history of treaty negotiations in the early nineteenth century reveals the contacts that were made.

One such incident between Hispanic New Mexicans and Navajo band leaders, for example, began quietly on the afternoon of March 31, 1819, when Navajo chieftain, Joaquín, and four warriors rode into a Spanish outpost near Jemez Pueblo and presented Rafael Montes, captain of the garrison there, with a "Holy Cross" and four Spanish captives as a peace offering.<sup>6</sup> Joaquín said that he hoped to talk peace with the New Mexican officer "for the sake of those of his band and nation, who they assure...are desirous of acquiring"<sup>7</sup> a pardon based on friendship. Montes identified the captives as Rafael and José Dolores from Cebolleta, Antonio from Sausal and Dionisio from Atrisco. Joaquín

offered to bring two other captives, whom they had left behind in their hurry to meet with Montes. He also offered the officer a draft mule which had been taken in a raid, but he refused it saying that, as it was only one animal, the Navajo were in more need of it. Montes asked him and the four warriors to remain at Jemez until he could get a reply from his superiors. They agreed.<sup>8</sup>

Little is known, documentary-wise, about treaties or peace negotiations between Navajos, and New Mexican settlers between 1598 and 1800. Indeed, even less is known about discussions regarding such negotiations held among the various bands of Navajo leaders and their people. Yet, all that is generally known is that a braided history of war and peace marked relationships between the them and Hispanic settlers of New Mexico. Historiographically, historian Edward Spicer succinctly defined the period between 1800 and 1840 in New Mexico as one of continuous warfare between certain Navajo bands against Spanish New Mexican and their Indian Pueblo allies. He wrote:

The twenty years after 1800 saw the development of the Navajos as raiders on a large scale. Their raiding extended to the Hopis. Even the Jemez became deadly enemies of the Navajos. The Hopis appealed to the Spaniards for help in 1818. Spaniards made a treaty with some Navajos whom they had defeated in a battle in 1819; the treaty was supposed to result in the Navajos staying west of Bluewater near Zuni but the treaty did not stick, since it applied, as the Spaniards did not understand, only to the small group whom they had beaten. In 1820 some Navajos attempted to make a peace with the Spaniards, working through Jemez, but the Jemez people so distrusted them that they killed the Navajo delegation and appealed to the Spaniards for help. Through the 1820's, especially after Mexican independence in 1824, the Navajos ran wild in northwestern New Mexico. In 1837, Navajos raided the Hopi village of Oraibi and killed or scattered almost the



whole population. The Mexican government in Santa Fe remained unable to make even effective retaliatory raids, let alone control the now skilled raiders.<sup>9</sup>

Nevertheless, between 1805 and 1846, years marked by war and peace, Hispanic New Mexicans made five treaties with the Navajo, inclusive of the treaties of 1805, 1819 and 1823, which are the subject herein. All bore similar approaches to negotiating peace with the Navajo, and were done during economic hard times, similar to the time Joaquín's entreaty was made. In total, ten treaties were made with the Navajo between 1805 and 1868; five were made under the auspices of the United States between 1848 and 1868.<sup>10</sup> The treaties attest to the fact that Spain never conquered the Navajo or for that matter, the Apache, Ute, Comanche or any of the Great Plains tribes. Instead, Spain treated them a "*naciones*," or nations as they are still so-called today.

From the earliest sixteenth century contact with Great Plains and Mountain tribes, Spanish settlers, who established the Province of New Mexico in 1598, knew they were no match for raiders from those areas. A dual Indian policy, one for friendly Pueblo Indians and another for Plains Tribes evolved. The policy for Plains tribes emerged as early as 1601, when Governor Juan de Oñate ordered that, under penalty of law, no Spanish settler could go out to the Plains to trade without permission. It was feared that if relationships turned bad for any reason, New Mexico's settlement would be overrun by the thousands of warriors from Plains. Spanish officials realized that they could never control or conquer the Plains tribes, such a policy remained in force throughout the Spanish Colonial and Mexican Territorial periods from 1601-1848. Those tribes were not subdued until the nineteenth-century Anglo-American expansion period onto the Great Plains, Rocky Mountains and Pacific Northwest.

Over time, some Spanish militarists expressed sympathetic views about attacks made by local tribes on Spanish and Pueblo settlements

and speculated on the reasons for their raids. Of the more enlightened attitudes, for example, some Spanish officials explained that the aggressive behavior of certain tribes was a response to intruders on their lands rather than an expression of innate character in Native American people. They agreed that the Apaches, for example, waged war against settlers and miners because they trespassed on their tribal lands and exploited the people and the resources of the land. Some explained that the Apaches robbed settlers because hunting alone did not support their needs. Hunger and survival in arid lands were as much a motivation for raids that took place. In the eighteenth century, Bernardo de Gálvez, a military commander, wrote, "If the Indian is no friend, it is because he owes us no kindness, and . . . if he avenges himself it is for just satisfaction of his grievances." In 1799 Viceroy Antonio de Bucareli confided to José de Gálvez, the intendant general of New Spain, "An impartial judge could . . . see [that] every charge we might make against them would be offset by as many crimes committed by our side."<sup>11</sup> On the one hand, Spanish officials and settlers did not fail to understand their own role in provoking war with the Apache people or other tribes, but in the wake of a devastating raid, the reasons for the provocations did not matter. On the other hand, each side justified its reasons for war against the other. Such reactions were not exclusive to Spanish settlers but were also found among European American settlers and miners coming to the area in the mid-nineteenth century.<sup>12</sup>

Yet, at the time, the broad region of Navajo homeland, known to Navajos as *Dinétaah*, within the Province of New Mexico stretched from lands to the west of the Río Grande and Río Puerco to places such as Window Rock, Canyon de Chelly and Chaco Canyon and northwestward to the present Four Corners area beyond the San Juan River. Navajo hogans were seen as far north as the La Plata Mountains of southwestern Colorado as well as to lands west of Oraibi and to the south of the Grand Canyon. Indeed, those lands were seen as part of the Navajo homeland in 1765 when

explorers passed by those areas<sup>13</sup>. Still, their raids were far-ranging as seen by Father Garcés, when in 1775, he passed near the Little Colorado River, west of Oraibi. He commented that “there are some cows and horses, most of which are branded, and some with several marks.”<sup>14</sup>

Spanish villagers and Indian pueblos on the western edge of the Río Grande Valley had, for decades, been hard hit suffering loss of life and property at the hands of Navajo raiders. The fragile economic and climatic cycles in New Mexico were often beset by droughts as well as periods where crops were sparsely available. The lack of food in the wilderness was one cause of Navajo raids on Spanish villages and Indian pueblos who allied in punitive expeditions against the Navajo. Lone New Mexican shepherders were often killed or captured along long stretches of ranches from Jemez to Socorro. Places like Tierra Amarilla, Abiquiu and Ojo Caliente were hit by Navajo, Apache, Comanche, and Ute raiders. Indeed, settlers of the San Fernando Land Grant near the Sierra de Cebolleta, settled in the 1750s, were forced by incessant Navajo raids to abandon their land for over a decade.<sup>15</sup>

Often, the cattle and sheep ranches east of the Río Puerco and along the Río Grande valley were a solution to the dwindling food issues in the arid lands of *Dinéah*. In the wake of a devastating raid, the reasons for the provocations did not matter. Each side, on the other hand, justified their reasons for war against one another. Such reactions were not exclusive to Spanish settlers but to Anglo-American settlers and miners who came into the area in the middle nineteenth century.<sup>16</sup> The Navajo wars were long standing and date to the seventeenth century. In 1705, for example, Roque Madrid led 100 Spanish militiamen and 300 Pueblo Indian allies against Navajo raiders. In an over 310-mile march into *Dinéah*, Madrid's army fought three battles in retaliation to Navajo raids.<sup>17</sup> Doubtless, Joaquín and his men were well aware of that history and lore in the unforgiving arid lands of western New Mexico as factors that motivated their raids in their struggle for survival.

In response to Joaquín request for peace, Spanish officials in New Mexico accordingly supported the notion of a treaty, but first had to communicate such an important matter to their superiors in Mexico City, thus began the bureaucratic process that needed to be followed to secure a valid peace negotiation. In response to Montes's quick transmittal message of March 31, 1819, to Governor Facundo Melgares in Santa Fe, requesting approval to follow up on Joaquín's entreaty, Melgares, having received the message via courier, responded within two days.

On April 1, 1819, Melgares acknowledged receipt of Montes's communication.<sup>18</sup> In his reply Melgares asked Montes to tell Joaquín that he did “consider the terrible suffering they endure which was has brought them [here].”<sup>19</sup> Melgares, offering peace, said he did so as an act of mercy” in order that he would go himself or send a division “to the Cerro Cabezón...so that all the Navajo people be gathered together [and]...listen to me or to the captain I send.”<sup>20</sup> Melgares expressed that “I only desire their well-being, that they be concerned with their crops, and that they pursue them, because I believe their eyes may be opened to their advantage.”<sup>21</sup> Melgares referred to a signed paper in which he acknowledged Joaquín as the Navajo leader “so that the Spaniards and the Navajo would know how he appreciates their efforts.” Melgares ended his message with the stern observation that Joaquín “may go and announce the concession to his people. They have the freedom to go there [Jemez] and to leave [so long as] they may not again displease me with their thievery and mischief.”<sup>22</sup>

Joaquín's appeal for peace lessened the tension felt by other Navajos. On April 10, Montes wrote to Melgares that “Today, in the afternoon, five Apache-Navajo, who came from the Mesas del Chaco appeared with the intention of buying a little maize.” As they came in peace, “they reported nothing of note that occurred on their way.”<sup>23</sup> Still Montes was apprehensive about permitting the Navajo to proceed to other villages as they had to cross New Mexico to get to the other settlements.

To that end, Montes asked Governor Melgares “I hope you may tell me if permission may be extended to them for it, or if there is something which may prevent it.”<sup>24</sup>

Melgares’s quick response, in which he copied Francisco Velasco, a senior official in the Comandancia General de las Provincias Internas,<sup>25</sup> in Durango, was definitive. “For now,” he wrote, “the Navajo must not pass to any other place, other than [Jemez] and trade for what they can there.”<sup>26</sup> Melgares was concerned that there were no Navajo interpreters in any of the villages and that the lack of linguistic communications could cause misunderstandings which would hurt the peace effort.<sup>27</sup>

Melgares, furthermore, hoped to inform other Spanish officials in Durango and Mexico City, whom he copied. In his communication of April 1, 1819, he wrote that they be informed about “what this tribe would be subject to as part of their surrender.”<sup>28</sup> He hoped that they would be set up in villages and made vassals of the Spanish king. To that proposition, Melgares wrote: “After having overwhelmed the Navajo entirely, having killed thirty-six of them and after having taken twenty individuals of both sexes prisoners with many large animals and small livestock (all of which were eaten) they became more peaceful than before. The captives are returned and the Navajo appear content, satisfied and grateful, without mentioning their people who are prisoners among us... Never had the Navajo tribe been so defeated... I again repeat to your Lordship that within all the boundaries of the province not a hostile shot is fired nor is there an enemy... to be found.”<sup>29</sup> Melgares’s communique, however, was short-lived being that he had only defeated a band of Navajos. The Navajo were not “entirely” defeated as he had claimed.

In response to Melgares’s correspondence along with a copy of that made by Francisco Velasco, which was also circulated in this communication, Field Marshall and Governor of Nueva Vizcaya (present Chihuahua) Alejo García Conde stated that “All which you have accomplished to now concerning the matter... has merited my ap-

proval.... And so you may know, I inform you to work this treaty you will proceed with the sophistication, prudence and skill which has gained you repute.” Commander García Conde added that “you remain so aware and deal with any misdeed that they could commit in provoking us to war.”<sup>30</sup>

On May 15, 1819, García Conde communicated with Viceroy Conde del Venadito to explain where things stood. In it, García Conde explained the peace offering made by Joaquín in which he asked for nothing more than “the concession of the pardon which may be bestowed upon them, despite more than twenty individuals of their nation of both sexes to be found in our possession who were taken prisoner during the war.”<sup>31</sup> García Conde ended by saying that “I have approved of the peace which he has granted them... Nevertheless, I charged him that at the time of carrying out the terms he may work with the prudence and skill which the sensitivity of the situation demands.”<sup>32</sup>

As a stalwart bureaucrat, García Conde was clear to the Viceroy that “I believe it my proper duty to call your attention to the merit which this enterprise has garnered from the aforementioned Melgares.”<sup>33</sup> The Viceroy Conde del Venadito responded in a communiqué dated June 23, 1819. He wrote:

With great pleasure, I am informed by Your (Excellency’s) official communication... of the past May 15, with copies relative to the Navajo nations having asked the Interim Governor of New Mexico Lieutenant Colonel don Facundo Melgares for peace. With my approval that which he has conceded to them in the extended terms will be sent to me for approval. It will be most advantageous in preventing the Navajo in the future consequent return to again cause mischief. In the terms of peace, it may be stipulated that the hostages which said nation gives guarantees their sincerity. As soon as all this is approved and verified and reported to the King, our Lord, I will recommend to His grace the

successes achieved by the interim governor of New Mexico and the zeal with which he conducts himself.<sup>34</sup>

Viceroy Conde del Venadito sealed the decision to proceed with the treaty and awaited a copy to validate it. Conde García acknowledged receipt of the correspondence that had occurred between the parties at the end of summer, 1819. Notably, García Conde had communicated that “On the 18th of last August the interim-Governor of New Mexico, Lieutenant-Colonel Don Facundo Melgares, gave me news that as a result of Your Excellency’s superior foresight that he should proceed to conclude peace with the Navajos according to the proper terms, the principal leader, 4 headmen and 18 warriors of said nation recently presented themselves to him in the capital of Santa Fe. These being drawn up under the conditions and procedures that the attached document relates, he sent them to me by special courier the 25th of the same August.”<sup>35</sup> All appeared to be in order.

As part of the communication protocol, García Conde issued a public statement published in the *Gaceta del Gobierno de Mexico*. It read:

Response given by the Viceroy to Excellent Sire, Field Marshal don Alejo García Conde;

Excellent Sire—with the communique of 20 of September last, to which I respond having received the agreement of peace worked with the Navajo Nation by the Lieutenant Colonel don Facundo Melgares, interim governor of the Province of New Mexico, and having been informed of the different articles contained therein I approve the referenced agreement and all its parts in the name of our King, (God Protect Him) and I have ordered it published in the *gaceta* of this government that it gain with more approval and authority in informing your Lordship...<sup>36</sup>

In advance of a signed treaty, the viceroy sent an official communiqué to the King of Spain dated June 30, 1819, stating that “I approve of the

peace to concede to the Navajo and I order him [Melgares] that in order to prevent [the Navajo] their return to ...cause us harm inopportunately, he may require hostages of persons or lands and send to me the stipulations which may be drawn up, taking all necessary precautions as that this nation may remain at peace.”<sup>37</sup> Thus, the Navajo Treaty of August 21, 1819,<sup>38</sup> as submitted, bore the details that resulted from the negotiations between Joaquín and Melgares. [See Appendix B]

In contrast to other treaties, which basically repeated similar language as that of 1819, little is known about the correspondence that took place in the bureaucracy. The Navajo Treaty of 1805, for example, reveals the terms and the travails that caused the negotiations, but correspondence between Spanish officials is not readily available.

To that end, nineteenth century treaties between governors of New Mexico and leaders of the Navajo nation followed a protocol not evident in the terms of the treaties, but in the Spanish official correspondence associated with such negotiations. Such treaties were not made in the field or in a vacuum between two negotiators. In the Spanish domain, legal procedures, discussions, and cautionary opinions between the provincial governors included the commanders in the field of the Interior Provinces, neighboring governors, the Viceroy in Mexico City and his council as well as communication with the Spanish court in Madrid with the final approval of the King. Unlike the negotiations dealing with the Treaty of 1819, documents related to such a discourse with the several treaties made with the Navajo between 1805 and 1848, a period covering the last years of Spanish Colonial rule (1521-1821) and the Mexican Territorial Period (1821-1848) of the present Greater Southwest, are not readily available.

The language of such treaties centered around trust, regarding the Navajos intent in keeping the peace and ceasing their raids of Spanish villages and Indian Pueblos, the return of hostages captured by the Navajo, along with certain issues related to Navajo territoriality and Spanish/Mexican sovereignty, and the means related to how peace

could be maintained. In the Treaty of 1819, Governor Facundo Melgares, for example, demanded, and the Navajo negotiators agree, that the Navajo commit twenty Navajo hostages be kept in Santa Fe as an assurance that the Navajo would stop their raids and attacks on Spanish villages and Indian Pueblos.<sup>39</sup> Still, periodic outbreaks occurred and several treaties were negotiated to maintain periods of peace.

The Treaty of May 12, 1805, for example, is representative of the many agreements that were made that included similar elements. It was followed by the Treaty of 1819, which, in itself, maintained a short reprieve to war but did not last. The history behind the Treaty of 1805 is evident only in its revealed terms and hints that much more behind the scenes discussions took place. In keeping with the bureaucratic communications protocol, it is evident that more talks took place by that time that Governor Joaquin Real Alencaster, on May 15, 1805, reported to the Comandante de las Provincias Internas, Nemesio Salcedo that a treaty had been finalized with the Navajo nation. Herein, the Treaty of May 12, 1805, reveals the circumstances behind the treaty that set the pattern of nineteenth century negotiations and terms with the Navajo nation.<sup>40</sup>

Basically what is known about the negotiations that took place in 1805 is summarized in the opening lines of the treaty, which read: "Consequent to your communication of April 26, and in fulfillment of what you have arranged for me, I have agreed upon peace with the principal leaders of the Navajo nation, Cristobal and Vicente, in the name of and in representation of them all, on the 12th day of this May with the following conditions." [See Appendix A] The terms of both treaties, while temporarily alleviating the persistent Navajo raiding in the area, were again revisited in 1821, when, once again, certain Navajo bands reverted to raiding and looting Spanish villages. Admittedly, as stated in Article 5 of the Treaty of 1823, the Navajo explained that they did so because "they said that they were dying of hunger."

Navajo raids in the area west of the Río

Puerco, particularly, became an important issue. Cebolleta, for example, involved a land grant had been issued to Spanish settlers who engaged in farming and ranching. Their herds were the object of raids by the Navajo in times of economic and climactic stress. Issues persisted in that area well into the end of the Spanish period. On October 21, 1821, for example, New Mexican officials were concerned about the defense of western lands along the Río Puerco. With great anticipation, the Navajos raided the area and New Mexicans began what would be called the Cebolleta campaign led by Juan Armijo. The expedition went as far northwest as the Chuska Mountains. Apparently, Navajos had raided the Albuquerque-Belen area, taking livestock and some "Christian" captives.<sup>41</sup>

In his report to Governor Facundo Melgares, Armijo wrote that his troops had begun their march from the Puesto de Cebolleta on October 3. They had reached a place they called the Paraje de San Lucas, where some troops deserted, and Armijo with Pueblo warriors from Isleta, Laguna and Acoma continued their pursuit of the Navajo raiders. By October 19, Armijo and his men had caught the Navajos and attacked them, killing six. After another skirmish, Armijo determined that they had met their objectives and returned to Cebolleta three days later without recovering any of the stolen property.<sup>42</sup> Spanish officials determined that Navajo raiding would continue unabated and entered into a treaty arrangement in 1822. While New Mexicans defended their claim to the land, so too did the Navajo. The new treaty, they believed, would determine the boundaries of each.<sup>43</sup>

In 1822, hoping to calm the situation between New Mexican settlers and Pueblo Indians against the Navajo raiders, Facundo Melgares ordered a militia of 30 armed men to Laguna Pueblo. Among the men, Melgares asked the alcaldes of affected villages to be there as well. There they hoped to meet with a band of Navajos and arrange an exchange of prisoners prior to a discussion of peace. Melgares hoped to acquire information about how the Navajo acquired certain goods, hopefully, he thought, "by their work and indus-



try” yet he realized that some it might be stolen from settlements within the province. Both sides mistrusted one another, as they felt that they also feared that “some Spaniards might do damage against them.”<sup>44</sup> In this deliberation, Melgares also warned settlers of the Province not to cause a reason for war. The process in place is explained the protocol to be followed in the instructions he issued to the *alcaldes*, who signed the treaty. In establishing the process that ought to be followed, Melgares made obvious to them the terms he demanded that the Navajo ought to accede to in the peace negotiations stipulated in the treaty. In his instructions to the *alcaldes*, Melgares wrote:

1st. That the captives that are lacking should be brought at the time set, as well as the apostates that might be among them, surrendered so that those that might be prisoners among us might be surrendered to them..., that the peace shall be concluded by us in completion by the time that might be proper and that they cease doing

2nd. That they be questioned as to how they have kept the goods that they have, making them see that of the Province, some acquired by their work and industry and others stolen, harming the Province, and if this they do not understand, they ought to be made to know (it) with the energy and clarity of Spanish

3d. That they be conceded peace, forgetting forever the offenses and insults that they have done to the Province under the following conditions

4th. That they are to recognize our government as an allied Nation: that they should recognize as the boundary of the Province (a line) from Ojo del Oso, along the San Juan River, in order to avoid discord between Navajo and Spaniards not preventing them from coming to trade with all of the Province as they have always done...that in doing the same among them they should avoid doing damage among them...it will be reported to the

government in order to pay and to punish the malefactor according to (what) might be his crime; if some Navajo should come to do damage to the Province, they (sic) will be pursued until overtaken, if overtaken before reaching their *rancheria* they will be made prisoners, if these should resist and place hand upon weapons, action will be taken against them; if they should not be overtaken until arrival at their *rancheria* the chief [of] the party will report to the headman of the *rancheria*, [during which time of] said robbery...the malefactor ought to be surrendered so that they might be punished and the damage that they have caused made good.

5th. That the Navajos should discontinue going to the camps of herders o cattle, sheep and goats to trade with the herders from which results the misunderstandings, but whenever they are interested in buying stock of any kind, they should ask for it from its legitimate owners, for in this manner, we will be free of quarrels.

6th. The agreed propositions will be formally presented to them as stated above in the first article, should it not be or a year or longer, in accordance with the purpose for which the meeting convenes, for I have advised them that all the most prominent persons among them ought to be present although they have registered some fears that I treat them with sufficient care in order to celebrate the peace with the solemnity that is proper to it, the Political Chief should carry two flags, one white and another with red, making said Nation understand the significance of said flags, that the white be peace that they ask for; that the red the war; that if they should come on the appointed day the flag of peace will be unfurled, that if they should not come on said day that of war will be unfurled, by which will be made evident the first point of the manifesto in order to avoid any

rashness if it should be necessary, the voice of the Chief will place them under arms and make the entire world see that Spanish arms ought to be respected

7th. If the peace should be verified the Te Deum will be sung inside the Pueblo in praise of the God of Armies and a Mass will be offered asking that He preserve us in peace Amen, Jesus, Mary and Joseph. - Laguna, September 12, 1822 Francisco Xavier Chaves.... receipt of this will be acknowledged and they will inform me of the captives that have been brought from their respective Jurisdiction. - (to the) three Alcaldes of the Cordillera del Margen.<sup>45</sup>

Melgares's instructions reflect the resulting treaty, which was negotiated in Zia Pueblo in 1822 and approved in 1823.

Regarding the treaty, once agreed upon, Melgares, on November 11, 1822, sent a copy of the report explaining the treaty to the alcaldes who signed it in which he noted that two headmen of the Navajo Tribe agreed to the terms. In his communiqué, Melgares explained that at the request of the Navajo headmen, the peace was negotiated and stated that "The fundamental basis are those established in previous (treaties of) peace, that are held constant by the Superior Government and the tribe."<sup>46</sup>

The basic agreement reiterated that "both parties will forget forever the injuries that have resulted to both from the war;" and, that the Navajos would be "at liberty to trade and travel within the Province of New Mexico." In regard to captives, the Navajos will, if they have any, return them to the government of New Mexico. Those captives held by New Mexican would also be returned to the Navajo nation. Melgares did specify that there were no Navajo hostages "except hostages and one other child (who does not wish to leave)" adding that "if the Navajos want them, they are ready and any more if they claim them and inform the government..." Melgares asked that a list be made "only of the individuals that the Navajo claim." There was the issue of the nomination of "Se-

gundo," as the Navajo leader, which, if the Navajos accept "him as such...they shall name him and the government will confirm it with approval signature from the alcaldes and regents of the Province who may concur."<sup>47</sup> Interestingly, Segundo was the object of a hostage release negotiation in 1805, he now emerged as a principal Navajo leader. At this point in the negotiations, he again was the subject of the discussions.

Indeed, the treaty was one of the final acts made by Governor Facundo Melgares who acknowledged that Spain recognized Mexican Independence was at hand, and therefore "By virtue of the order of the Señor Commanding General of the 12th of October just past, I have surrendered the military and political command of the Province to Captain Don José Antonio Vizcarra; and I advise you for your information and consequent purposes. - May God keep you many years, Albuquerque, Nov. 22, 18 [1822] - Facundo Melgares - Señores Alcaldes of the Cordillera del Margen."<sup>48</sup>

The Treaty was confirmed on February 12, 1823 by the newly established Republic of Mexico, as Spain had surrendered its sovereignty by dint of the Revolution of 1810 that granted independence to Mexico. [See Appendix C] The Treaty of 1823, which occurred in the interim of the Mexican War for Independence from Spain, was the last attempt at a peaceful resolution under Spain and the first treaty with the Navajo approved by Mexico. The treaty applied to those Navajo bands involved in the negotiations. Navajo raids between Pagate and Jemez continued by other bands in 1823, 1824 and other years.<sup>49</sup>

Throughout the period 1540-1848, Spain made no effort to conquer the Plains Tribes, inclusive of the Apache, Navajo, Comanche as well as Mountain Tribes such as the Utes. Instead, New Mexican governors consistently treated them as separate nations and attempted to negotiate peace by treaty with them. The dual Indian policies for Plains Tribes, governed by agreements or treaties with bands of the referenced nations in contrast to the Pueblos, who were considered as vassals of the state. In that regard, the settled Pueblos, who

like their New Mexican settlers were farmers, were incorporated into the body politic governed by the Laws of the Indies and later practices and precedents. By 1848, the Republic of Mexico surrendered a large portion today known as the Greater Southwest to the United States. The fate of the Navajo now rested in the hands of the United States and the U.S. Army. New peace treaties would be made with the Navajo in the succeeding years of the late nineteenth century. Plains Tribes became the military objects of U.S. western expansion.

## **Appendix A**

### **Terms of the Treaty of 1805**

Consequent to your communication of April 26, and in fulfillment of what you have arranged for me, I have agreed upon peace with the principal leaders of the Navajo nation, Cristobal and Vicente, in the name of and in representation of them all, on the 12th day of this May with the following conditions:

(1) That at no time shall they make any claim to the lands of the site called Cebolleta; (2) That they shall restore to us the two children that they have handed over to me, and any other captives which are found in their power;

(3) That they will make no alliance, treaty, nor communication with a nation or band hostile to us, and that on the occasions which might arise, they will also make war; (4) That if any of their nation commit a robbery or other damage on those of this province, their chiefs will hand them over that they may be punished;

(5) That on our part we will permit them commerce, stock-raising and planting of fields and other enterprises which they may wish to engage in, and that it will be presented to them as I have verified it to the Interpreter, Josef Antonio Garcia conforming to what they have solicited, in order to give notice among them in due time and that there is handed over to them, as has been handed over to them, the captain called Segundo and 16 prisoners more that existed in San Elecarío, and that in case of there being other prisoners among

them or among us they will be handed over reciprocally; and that receiving them under the protection of the King and in his royal name, they are to be made to understand that the violation of the referred conditions, and to which fulfillment remains obligatory to the Nation in general, will be held to be formal declaration of War, and it will be attacked suddenly in order to destroy it entirely.

Concerning the last man, finding himself already prisoner Segundo notified them that all the Nations that are at Peace practice not doing damage to those that have entered in the Province of other Nations or Bands who are their enemies and that if they verify it they agree among themselves; and that in case of having done robbery of horse herds they are obligated to return them so that by my protection their owners recover them and with respect to having verified the robbery from within the Province, so that to insure that they have peace, all of them that look for it with the Spanish Nation.

In this very manner, I predisposed them with respect. I handed over to them 16 slaves and one Captain, as they no longer had any other prisoners as they asserted, they should take great care to collect all the cattle and horses and mules that they encounter with brands in the Province, that they consented that all the Nation would meet and obedience to Cristobal, and to his lieutenants, would be re-established, that they would take care of collecting the few or many that they might encounter to let them know the value of conserving the Peace.

Because of it being risky you will know that I justifiably omitted speaking to them of the Utes.

On this day they went out from this villa accompanied by the Interpreter Josef Antonio Garcia for their country; in which the latter will stay until the end of June when he will come to present himself to me, and inform me of what may have happened, or whenever there might be cause that requires it.

To said Interpreter I have posted bond on the 12th of May and it entry on the same day in the

journal of June, like the others separated from the enlistments of the Company with respect to which I see former previous lists that the Governor of New Mexico reports having adjusted peace with the Navajo Nation.<sup>50</sup>

## Appendix B Terms of the Navajo Treaty of 1819

Agreement of peace with the Navajo Nation between the Governor of the Province of New Mexico, the principal leader of said nation, the Peace Chief/Cacique and three captains.

1. On the 1st of last April acceding to the requests of the Navajos, I conceded them peace and friendship in the name of our beloved Sovereign of the Spains and of the Indies, Señor Don Fernando VI (May God keep him), and it being arranged by the orders of the authority of this government, the tribe ceasing to make war, I offered them the conditions under which peace would be granted to them, and they are as follows.

2. A general of the Navajo Nation will be named so that this government of New Mexico might have someone to address regarding what might happen and who might govern and direct it. -Agreed.

3. The general will be the captain, Joaquin, due to his abilities and friendship with the Spaniards or another whom the tribe might name, proposing as many captains as might be sufficient to govern the different families or bands, who this government will approve and grant the corresponding appointments. -Agreed.

4. The general will live as close as might be possible to Jemez, in order that the Spaniards and Navajos might meet thus for the prompt settlement of business that might arise. -Agreed.

5. This chief and the others of the bands will take care that their people plant and work to aid their subsistence. -Agreed, giving thanks.

6. The general will be responsible to this government for happenings that occur between Spaniards and Navajos and the captains to the Navajo general for what might be relative to their

bands. -Agreed.

7. If some misfortune should occur between Spaniards and Navajos, common cause will not be made of it and the punishment of the culprit or culprits with their accomplices will be negotiated. -Agreed.

8. If the aggressor is Navajo and is known, he will be sent under arrest by the general of the nation and will be handed over to this government in just fulfillment so that it may punish him in accordance with his crime, that it will always be mercifully, since their way of life and other circumstances do not permit them the facilities for punishing offenders, compensating for damages if it should be possible or convenient; if the offender should be Spanish, the general or the injured party will make representation to this government, from whom he will receive satisfaction with the punishment that the culprit deserves and repayment if it should be necessary. -Agreed.

9. The peace will be broken for no personal or private incident, and this government will religiously observe that conceded, so much so that the Navajos will not break it by their own interests nor make unjust demands upon nor molest the citizens, shepherds and others of the province. -Agreed.

10. In the name of the Sovereign (although with their ill-timed and senseless hostilities they have been made undeserving) there is conceded to the said Navajo Tribe the lands that until now they have made use of for planting, pastures and other uses that might be applicable to them, with such reforms as have been repeatedly proposed, they should observe peace and harmony with the Spanish, mestizos and Indian people of the province. -Agreed. With thanks.

11. As a prevention of disturbances and for the conservation of peace, it agrees to determine the limits for the livestock of the province, in order to be understood by one and the other, neither might they allege ignorance, nor - 47

make a reason for complaints and disputes, and although the condition of the arms of His Majesty permitted more extension, it will be lim-

ited to the old demarcation. -Agreed.

12. The line remains established on the old footing without alteration as far as Canyon Largo, the mouth of Chaco Canyon and Bluewater, lands which the livestock of the province has generally reached in past years, in which peace happily reigned, and to which they will arrive now, without passing the set limits. -Agreed.

13. In order that this may be more secure and durable, four youths will stay as hostages in this capital and they will be relieved each year by an equal number at the decision of the Navajo General, or before, when and how said Navajo chief might decide. -Agreed. And that a captain will substitute for the youths.

14. The hostages will be well treated and they will be supplied with that necessary for their subsistence and from the account of His Majesty, the Sovereign of the Spains. The captain that will replace the youths will enjoy the said benefit,

15. Although this measure assures to said nation its tranquility as much as this government wishes that which is good from it, it is proper to make it understand most patently the benign ideas in its favor that nourish a paternal government that proceeds from the most amiable and benign Sovereign in the world, a feat of generosity that would do credit to it: handing over to them and prisoners that exist in this capital, as in fact there will be handed over when the second?? conditions are fulfilled, by which it could be realized promptly. -Agreed, giving thanks.

16. They will respect the persons and property of the Moqui /Hopi/ Pueblos, because this government takes them under the protection of its amiable Sovereign, in whose shadow they have been placed. -Agreed.

17. In just return, this government expects a perpetual peace and sincere and cordial harmony, to which on its part will contribute with great care and rejoicing henceforth.<sup>51</sup>

## Appendix C

### Term of the Treaty of February 12, 1823

Points of interest that the Political and Military Chief of the Province submits to the individuals, that in the name of it [the province], compose this group with the object of the best celebration of peace with the Navajo Tribe.

First. That they hand over all of the captives that they have of our people without hiding any and the same with fugitives if they should flee to them.

Second. That there should be handed over to them that are found among us, but only if they wish to go; for if they should wish to receive the beneficial waters of baptism it does not seem proper for Catholics to deny them, but on the contrary to favor them and exhort them to the end that the number of the faithful adorers of the true God of the Christians should be multiplied.

Third. That it be demanded of them that they hand over up to the last portion of that which was stolen from the province since peace was last celebrated with them; returning it to those having suffered from the robberies the total amount.

Fourth. Last. That it be proposed to them with energy that they be converted to the Catholic Religion, resettling themselves in pueblos that will be founded in the places that might be convenient in order to attain this goal that the Faith of Jesus Christ is propagated and that we complete with the perfect attributes of Christians the reduction of an infidel nation to the fold of the Catholic Church. Pueblo de la Laguna, 5th of February, 1823.

Also, I say: That the sake of the province and in fulfillment of my office I have deliberated prudently on the four points here, but my object, with the sincere desire to be ready to gain the best results and to hear with agreeableness the opinions and proposals of the men who hear me.

Jose Antonio Vizcarra<sup>52</sup>

Agreement that, in virtue of the preceding articles, there was between the Navajo Tribe and the Political and Military Governor of the Province,



the text of which is the following.

In fulfillment of the first they will hand over the captives that are found among them.

With regard to the second they reclaimed those of their nation that existed among us but with the arrangement that I answered to them that they would be returned to them when they had met all my proposals and gave proofs of proceeding as they promised.

As for the third, they said that they were dying of hunger and that for that reason they did not have enough with which to repay the robberies, but they promised not to repeat their robberies and that if they did not comply they would be punished.

In fulfillment of the fourth and last, they obligated themselves to reply inside of a period of four months counted from the first of next March; with respect to this they had to talk to the entire nation; in virtue of which and for a proper record, the Senores Captain Don Bartolome Baca and Don Antonio Sandoval signed this in the name of General Joaquin and his tribe.

Camp of Paguata, twelfth of February of 1823.  
Jose Antonio Vizcarra.

**Dr. Joseph P. Sánchez** is the director of the Spanish Colonial Research Center at the University of New Mexico. After thirty-five years, he retired from the National Park Service in 2014. He has published studies on historic trails including the Camino Real de Tierra Adentro, the Camino Real de los Tejas, and the Old Spanish Trail. He has taught at the University of New Mexico, the University of Arizona, Santa Ana College in California, and the Universidad Autónoma de Guadalajara. Internationally recognized, in May 2000, he was awarded the Medalla de Acero al Mérito Histórico Capitán Alonso de León by the Sociedad Nuevoleonesa de Historia, Geografía y Estadística, Monterrey, Mexico. In April 2005, he was inducted into the prestigious knighthood order, as Knight Commander, of the Orden de Isabel la Católica by King don Juan Carlos of Spain.

## Endnotes

1. See, Joseph P. Sánchez, "Indigenous Territoriality and European Sovereignty in the Early Centuries of European Discovery of and Claim to North America," *New Mexico Historical Review (NMHR)*, Spring, 2020, pp. 213-236.
2. See, Julia Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: University of North Carolina Press, 2007). Barr writes that between the 1690s and the 1780s, Plains tribes, such as the Caddos, Apaches, Karankawas, Wichitas, Comanches and others refuted the Spanish imperial sovereign claim to their territories.
3. See, U.S. domination, Bosque Redondo Long Walk and Ft. Union Navajo Imprisonment, pp. 38-79 in *Fort Union National Monument, Ethnographic Overview, Report*, Prepared By: Joseph P. Sánchez, Jerry L. Gurrulé, Larry V. Larrichio, Larry D. Miller, National Park Service, 2005.
4. Ibid.
5. Although little has been written concerning Spanish Colonial/Mexican Territorial period treaty making, much has been written on this subject regarding treaty making in North America in English and U.S. periods as referenced in historiographical materials such as: Susan Shown Harjo, editor, Kevin Gover, Philip J. Deloria, N. Scott Momaday, Hank Adams, contributors, *Nation to Nation: Treaties between the United States and American Indian Nations* (Washington, D.C.: Smithsonian Institution Scholarly Press, 2014) examines the history of approximately 368 treaties negotiated between U.S. commissioners and tribal leaders between 177 and 1868. Also see, Vine Deloria, Jr., Editor, *The Indian Reorganization Act, Congresses and Bills* (Norman: U of Oklahoma Press, 2002, 434 pp).
6. Rafael Montes, Report regarding surrender of Navajo under Joaquín, Jemez, March 31, 1819, Archivo General de Indias (AGI), Sevilla, Estado 33
7. Ibid.
8. Ibid.
9. Edward Spicer, *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on Indians of the Southwest, 1533-1960* (Tucson: University of Arizona Press, 1967). p. 213.

10. For translations and transcriptions of those treaties see, David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971).
11. See David J. Weber, *Bárbaros: Spaniards and Their Savages in the Age of Enlightenment* (New Haven, Conn.: Yale University Press, 2005), 195–96. Also see, Joseph P. Sánchez, “Contested Ground,” *NMHR*, Volume 95, Number 2, Spring 2020, 213-236.
12. Ibid.
13. Joseph P. Sánchez, *Explorers, Traders and Slavers: Forging the Old Spanish Trail, 1678-1850*. Salt Lake City: University of Utah Press, 1997) 104-105 and 142-143.
14. Elliot Coues, ed. And trans. *On the Trail of a Spanish Pioneer: The Diary and Itinerary of Francisco Garcés (Missionary Priest) in his Travels through Sonora, Arizona, and California, 1775-1776* (New York: Francis P. Harper, 1900) 2:336-339.
15. Petition of the Settlers of San Fernando, 1767, Spanish Archives of New Mexico 1 (SANM), Center for Southwest Research (CSWR), Zimmerman Library, University of New Mexico, microfilm roll 4, frames 623-43.
16. David J. Weber, *Bárbaros: Spaniards and their Savages in the Age of Enlightenment*, (New Haven: University of Yale Press, 2005), 195-6.
17. See Rick Hendricks and John P. Wilson, editors and translators, *The Navajos in 1705: Roque Madrid's Campaign Journal* (Albuquerque: University of New Mexico Press, 1996).
18. Governor Facundo Melgares Orders regarding surrender of the Navajo, April 1, 1819, AGI, Estado 33
19. Ibid.
20. Ibid.
21. Ibid.
22. Ibid.
23. Montes to Melgares, Jemez, April 10, 1819, AGI, Estado 33.
24. Ibid.
25. See entry for Francisco Velasco in Francisco R. Almada, *Diccionario de Historia, Geografía y Biografía Chihuahuenses*, Tomo II, J-Z, (Chihuahua: Ediciones de Azar A.C., Third Edition, 2008), 379.
26. Melgares to Montes, Santa Fe, April 13, 1819, AGI, Estado 33.
27. Ibid.
28. Melgares to Brigadier Antonio Cordero, Santa Fe, April 18, 1819, AGI, Estado 33.
29. Ibid.
30. Alexo García Conde to Melgares, Durango, May 11, 1819, AGI, Estado 33.
31. García Conde to Viceroy Conde del Venadito, Durango, May 15, 1819, AGI, Estado 33.
32. Ibid.
33. Ibid.
34. Viceroy Conde del Venadito to Alexo García Conde, Mexico City, June 23, 1819, AGI, Estado 33
35. Based on the following reference, the entire correspondence reads as follows: García Conde to Viceroy Conde del Venadito, 20 September 1819, in David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), p. 48. “Internal Provinces of the East Office of the Most Excellent Commander-General, Most Excellent Sir-On the 18th of last August the interim-Governor of New Mexico, Lieutenant-Colonel Don Facundo Melgares, gave me news that as a result of Your Excellency’s superior foresight that he should proceed to conclude peace with the Navajos according to the proper terms, the principal leader, 4 head men and 18 warriors of said nation recently presented themselves to him in the capital of Santa Fe.  
  
These being drawn up under the conditions and procedures that the attached document relates, he sent them to me by special courier the 25th of the same August; and although nothing appears that would not be favorable, and even advantageous, with respect to us, I have acknowledged receipt warning him to await Your Excellency’s decision, to whom I report also that you may be served, if you consider it well, to dispense your higher approval, or to make to me the advice that you might consider proper.  
  
And that expressed being as much as has come to my attention from the time of the last report until the present date that is worthy of Your Excellency’s attention with relation to news of enemies in the area of the provinces of Nueva Viscaya [Chihuahua], Sonora and New Mexico of the district of my command, I report it

to Your Excellency for your information, satisfaction and other corresponding reasons. May God keep Your Excellency many years. Durango, September 20, 1819.- Most Excellent Sir”

36. “Contestación que dió S.E. el oficio del Excmo. Sr. Mariscal de camp. Alejo García Conde,” 20 de Octubre de 1819 Gaceta del Gobierno de Mexico, Tomo IX, copy in Center for Southwest Research, Zimmerman Library, University of New Mexico.

37. Index of select letters with which I, the Viceroy of New Spain, Conde del Venadito, reported to his Majesty by way of the Supreme Ministry of State, of the occurrences of the condition of that Kingdom, signed by Patricio Numana, Royal Secretary, Mexico City June 30 1819, AGI, Estado 33.

38. Brugge and J. Lee Correll, David, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), pp. 48-51

39. David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), pp. 48-51

40. Governor Joaquín Real Alencaster to Salcedo, May 15, 1805, Santa Fe, Ibid., Brugge and Correll, *Navajo Treaties*, 32-33.

41. Joseph P. Sánchez, *Between Two Rivers: The Atrisco Land Grant in Albuquerque History, 1692-1968* (Norman: University of Oklahoma Press, 2008), 95-97.

42. Sánchez, *Between Two Rivers*, 95-97.

43. David M. Brugge in David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), 36-41.

44. Points of interest that the Political Chief of this Province has considered carefully in order to celebrate peace with the Navajo Tribe in Brugge and Correll *The Story of Navajo Treaties*, 54-55.

45. David M. Brugge in David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), 54-55

46. Ibid.

47. Inclusive of Segundo, the concurrence would be given by the Alcaldes and Regidores of the Province Facundo Melgares, Segundo - Juan Jose Tapia - Jose Francisco Baca Pablo Montoya - Manuel Baca - Salvador Garcia - Juan Jose Silva - Salvador Garcia - Jose Gonzalez - Jose Torres Juan Baca - Juan Gervacis - Jose

Maria Archuleta - Jose Antonio Chaves Duran, in Translation by David M. Brugge in David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), 54-55.

48. Ibid.

49. Complaint against Juan Antonio Cabeza de Baca letter to Governor Narbona, Santa Fe, 19 February 1827, Archivo General de la Nación-México (AGN) Sección Ayuntamientos, Vols. 12-13, Part 2, pp. 169-171 in Spanish Colonial Research Center Documentary Collection, Center for Southwest Research (CSWR), Zimmerman Library, University of New Mexico, Albuquerque.

50. Governor Joaquin Real Alencaster to Salcedo, May 15, 1805 Santa Fe, Translation by David M. Brugge in David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), pp. 32-33.

51. For a document copy of the Treaty of 1819 see Eleanor Adams papers (Box 14, Folder 18) (apparently acquired from the Bancroft library) in Center for Southwest Research, Zimmerman Library, University of New Mexico.

52. David M. Brugge in David Brugge and J. Lee Correll, translators, *The Story of Navajo Treaties* (Navajo Tribe, Window Rock, Arizona, 1971), 54-55.

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## My Time In House

### An Essay On Growing Up In Rural New Mexico

*By Monte Rout*

I am a proud native New Mexican. I can't imagine being from anywhere else. Thirty-six years of my adult life was spent in Las Cruces. It's the town that college-educated me, employed me, and where my children grew up. I strongly identify with everything about the town.

But the place that formed me, where I learned my values and started my journey down life's path is a tiny village on the High Plains of eastern New Mexico. Most people have probably never heard of it. I am from House, NM.

House is located at the southern end of Quay County on the edge of a mesa. It is part of the vast Llano Estacado, or Staked Plains, which covers some 37,000 miles of west Texas and eastern New Mexico. The land is flat and dry. In my time it was a Bible Belt community, solidly grounded in the teachings of the local Baptist and Methodist Church. Life revolved around family, work, school, and church activities.

I was a "town" girl, growing up in the 60s and 70s smack dab in the heart of the village, which Wikipedia describes as 0.9 square miles and mostly surrounded by ranch and farmland. Most of my childhood friends came from those farms and ranches.

In a 1982 essay written by my grandmother, Oattie Waggoner McAnally, she said, "Until about

the year 1904 or 1905, all the land around here belonged to the government. It was then decided that it would be opened up for settlement. The land was surveyed into square miles, 640 acres to a mile, 160 acres to a quarter. People were invited to come pick out a quarter section and file a claim.

"After a person had chosen a quarter section and filed his claim, he was

required to build some kind of home. Some people built small houses, some made dugouts, while others lived in tents until they could build a house. In order to keep the land, the settlers had to cultivate and plant crops on a certain number of acres. After living on the land 14 months and paying a small amount, the government awarded a deed to the homesteader. Some lived on the land for three years and got a deed without paying any money."

She goes on to say that after word got out, people came flooding into the area from Texas, Oklahoma, Kansas, and other states.

John L. House, for whom the village was named, was one of the first settlers. In 1908, my great grandparents, James Colfax and Mary Margaret Waggoner were among the homesteaders who found their way to House. They would go on to become merchants, opening a general mercantile store. If memory serves me



*The Waggoners traveled by wagon from Washington state to homestead in eastern New Mexico. Pictured are James Colfax and Mary Margaret Waggoner holding great grandson James Creek. Standing in back is the author's mother, Laura McAnally Creek. This photo probably was taken in 1948.*



correctly from family stories, James was also the town's coffin maker.

My family remained in House for three more generations with my maternal grandparents, Oattie, and her husband Rawley Wallace McAnally, opening a Phillips 66 gas station and hardware store. My parents, Rufus and Laura Creek later opened a Worley Mills livestock feed store in the original mercantile as well as delivering Phillips 66 propane and butane to the neighboring farms and ranches. My siblings, James, Pamela, and I would be the last in my family to live in House. We



***Laura (Kitty) McAnally Creek poses with a kitten in front of the Waggoner General Mercantile in House, NM. Laura and her husband, Rufus, would later use the same building for their livestock feed store. This photo probably was taken about 1937.***

at my grandfather's hardware store. On the back of a check kept in the cash register, he would keep track of all the nickels and dimes I "owed" him for all the soda pop and candy I consumed. I never did end up paying that bill for all those Dr. Peppers with peanuts and Hershey bars.

were part of the Baby Boomer generation yearning to spread our wings and fly the coop.

I was the baby of the family, born in 1959 in Tucumcari, NM. My preschool years were spent traipsing after my parents and grandparents at the stores. I sat at my mother's knee as she kept the books, or with my grandfather, watching him cut pipe for windmills or fill cars with gas. Sometimes, we got to ride with Daddy as he delivered fuel to the farms and ranches.

Being the spoiled baby of the family, I even had my own tab

If not at one of the stores, I was at Grandmother Oattie's being schooled on my ABCs from readers dating back to the 1920s. School began for me in 1966 at the House Municipal School, the same school attended by my mother, brother, and sister. It was not quite a one room schoolhouse, but almost. In my years of attendance, there were never more than about 100 students in grades 1 through 12. A big class might have a dozen kids while a small one might have three.



***The first-grade class of 1966 posed in front of the elementary school building. Pictured in front of teacher Catherine Franklin are (from left, back row) Nancy Young, Kenneth Dodson, Mike Morrow, Kevin Williams, Rhonda Upton, and Monte Creek; (front row) Peggy Rhodes, Glenn Ed Bass, Stan Edwards, Zena Franklin, and Marta Muller.***

The campus included a square stucco building that housed grades 1-5 and a larger brick building for grades 6-12. There was a gymnasium and Home Economic cottage. The Home Ec. cottage was essentially a small house where students learned cooking, sewing, and how to make a bed. The lunchroom was housed in a long, rectangular building that reminded me of an old barracks.

Besides the kitchen equipment, it was filled with long wooden tables with attached wooden benches. I remember, as a first grader, sliding along that bench and getting a splinter deeply embedded in my bum. Later, an addition would be added to the gym giving the school an up-to-date kitchen and dining room, plus a science lab and locker rooms for the gym. The big kids' building was coal heated. All us kids loved to play by the pile of coal. Many a game of tic-tac-toe was played using chunks of sooty, black coal.

There were two playgrounds, one for the smaller students and one for the larger. I'm sure neither would pass safety standards these days. I was once clipped on the chin by one of the heavy, wooden swings. It tore open a large gash and bloodied the pale yellow dress I was wearing that day. My grandfather was called. He picked me up, took me home, and patched my chin. He then washed my dress and returned me to school.

There was no kindergarten in my time. I arrived at first grade to be taught by the same teacher who taught all budding scholars for nearly 50 years, Catherine Franklin. There was coloring, reading, and arithmetic. I particularly recall her neon-colored phonics charts where we practiced our vowels and consonants. I still harbor a slight resentment for the day the class was rewarded with small peanut butter candies for silent reading, and I didn't get one. Mrs. Franklin said I was moving my lips as I read. I was as aghast as a six-year-old could be. Grandmother had taught me to read, I would never move my lips!

My first-grade career would be cut short in mere weeks. Granddaddy McAnally had rewarded me for being big enough to attend school by buying me a shiny blue Schwinn bicycle. It was a large bike meant to last my entire childhood. It was a girl's model, so there was no crossbar. It was so big that I could only reach the pedals by standing up.

I learned to ride it quickly. I was only allowed to ride on the dirt roads near our house and never the pavement of NM State Roads 89 and 252 which bordered the village.

One evening, I disobeyed my mother and left

the house to ride. I even put on clean blue pin-striped shorts set before escaping from her. Of course, I crashed and burned on my illicit outing. Rounding a corner, I slipped in sandy soil with my right arm landing on a rock. I remember looking at my arm and it was bent into a U shape. I screamed for my dad that my arm was "bent," and we rushed to the doctor in Fort Sumner, some 30 miles away. The compound fracture was so bad, I was sent to Roswell for surgery. The surgery and return trips to Roswell kept me in and out of school until nearly Christmas.



***Six-year-old Monte Creek with her brand-new Schwinn and broken arm posed in front of her grandfather's 1964 Chevelle El Camino.***

I remember returning to school in time for the annual school Christmas pageant. The pageants are amongst my fondest memories of my school years. It was conducted in the gym on the stage at the far end of the basketball court. One cold evening each December, the heavy green velvet drapes were pulled back and the elementary classes entertained peers and parents with skits and songs. Older students stood on two old, wooden risers in front of the stage as the choir sang both of the birth of Jesus and Santa's arrival. Our pitiful little high school band—composed, at most, of a couple clarinets, a saxophone, and a couple trumpets—squeaked out Silent Night and Jingle Bells.

The highlight of the pageant was Santa's arrival. Santa was played by one of the community's portlier gents, wearing the white fake beard and Santa suit. Santa's big red sack contained individ-

ual paper bags filled with unshelled nuts, an apple an orange, ribbon candy, and one “good” candy like a Butterfinger bar. These bags meant that Christmas was just around the corner. I remember it as a time of innocence and wonder. We all dressed up in our Sunday finest. There was such a sense of community.

The school was truly the heart of the community, especially when it came to sports. Eastern New Mexico had several small communities not unlike House, such as Floyd, Elida, and San Jon. These schools, like the House Municipal School, were not populated enough to field a football team, but we sure could play basketball and we played it with a passion. Since the high schools might only have 30 or 40 students in total, everyone suited up and I mean everyone. Given the small pool from which to choose, we had some surprisingly amazing young athletes and teams.



*The House Cowboys Boys A team of 1975. That year, there were 30 students in the entire high school. Everyone played so that House could have sports teams. Pictured from left are Alex Avila, Bryan Runyan, David Merrill, Donny Webb, Phillip Runyan, Neil Robinson, Darrell Ray, Mark Runyan, Tommy Booth, Charles Webb, Mario Villalobos, and Tim Scott. Charles and Tim were brought up from the 8th grade to round out the team.*

I, however, was never blessed with coordination or speed, and I spent a lot of time warming the bench with my other less athletic friends. Every once in a while, I would make my way from

the sidelines to the court, occasionally scoring a random two-pointer. While bench warming was fun and all, what I really enjoyed was cheerleading, which I did for a couple years. I took pride in my cartwheels, roundoffs, and the green and white House Cowboy uniform lovingly sewed by my mother.

A basketball away game involved the boys’ A and B teams, the girls’ A team and sometimes B team, and the cheerleaders all packing into the old green and white activities bus like a can of sardines. There was a lot of overlap on the girls’ basketball and cheer teams. Girls played ball and cheered. It was an event. Trips were long and the bus was cold. We passed the time by singing songs like “Down in the Boondocks,” Kumbaya,” and “99 Bottles of Beer on the Wall.” The driver and coach kept close watch for lovestruck teens canoodling under blankets.

One of my favorite trips was taking the back-road shortcut on the edge of the mesa along the dirt road through Moncus Canyon to play in Santa Rosa. It could be a scary ride if it was snowy but our driver, one of the players’ dads, had skills.



*Fifteen-old Monte Creek trying to pull off a Herkie jump while cheering for the House Cowboys.*

chili for Frito pies, pimento cheese and tuna sandwiches, and other treats. The cook for our lunchroom would make the lightest, most delicious cinnamon rolls slathered in a vanilla glaze. I dare

All the basketball and cheering made for hungry kids and the House basketball concession stand was the best. The team mothers coordinated the efforts making



say, we were the best fed school kids in the state of New Mexico.

Growing up in House was a privilege. I didn't always recognize that at the time, but now I do, and I wouldn't trade my upbringing for all the tea in China. It could be hard at times to appreciate small town life, but with time and age, I recognize the advantages of the small classes and specialized attention I received in each and every grade. We were taught to be responsible and caring. We were pushed to try things that we didn't think we could do, like sports since "the team needed us." We were looked after and encouraged by the entire community.

I graduated high school in 1977 as one of a class of six students. Thanks to social media, I am still in touch with all my surviving classmates as well as hometown friends of all ages.

House, NM, still exists. Recent census reports show the population at less than 60. It is still surrounded by farms and ranches. The school still prepares young minds. The Christmas pageant is still presented every year. The House Cowboys still play basketball. I hope its young students realize the charm and privilege of their upbringing. If not now, I'm sure most will in another 40 or 50 years.



*The House Municipal School graduating class of 1977. The graduation was held in front of the school. The class motto, carefully assembled from butcher and construction paper, is displayed on the building. Pictured from left are Kenneth Dodson, Monte Creek, Nancy Young, Zena Franklin, Mike Morrow, and Tommy Hohstadt.*

**Monte Rout** - In addition to the above information about Monte, she attended New Mexico State University. After graduating in 1982 with a degree in journalism, she began a career in Public Affairs at White Sands Missile Range. She retired in 2013 as the chief of the office. She now lives in Cloudcroft, NM, with her husband Ray and a houseful of dogs. Her last article in the *Review* appeared in 2019 and was about finding her parents' long-lost love letters in an old cabinet.

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## Book Review

*Educating the Enemy: Teaching Nazis and Mexicans in the Cold War Borderlands* by Jonna Perrillo. Chicago and London; The University of Chicago Press, 2022. ISBN 978-0-226-81597-8, 216 pages, paperback.

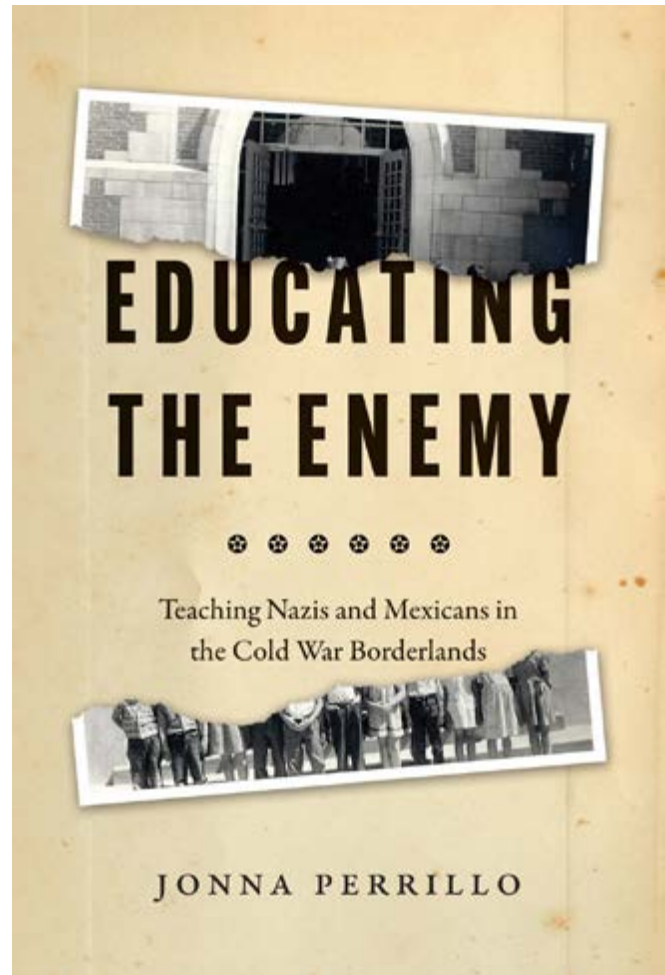
Much of the publicity about this book focuses on 144 children of Nazi scientists and engineers who, along with their parents, were transported to El Paso, Texas after WWII. Their parents were enlisted to assist the United States in investigating rocket and missile technology, to beat the Soviets to the punch. The program was dubbed “Operation Paperclip.”

The children were used by the government to show how a democratic education could turn Nazis into Americans. The kids, with the help of the news media, helped persuade Americans that, by extension to their parents, forgiving Nazi war crimes was a good thing to do.

I purchased this book from Dr. Perrillo when she gave a talk about it to the Dona Ana County Historical Society. Having worked at White Sands Missile Range, I was aware of the Paperclip scientists and engineers because they had a presence at the missile range for a few years. I thought this book might present more insight into that history as I’d never thought about the families of these men who helped launch dozens of V-2 rockets at White Sands.

It turns out the book is mostly about racial discrimination in El Paso and its school system in the 1940s and 50s. Perrillo uses the German children to cleverly contrast them to how Mexican American kids were treated in the same city. Brown American citizens were treated shabbily while white foreigners were given all the opportunities most any child could want.

Jim Crow applied to Mexican Americans in El Paso as well as Afro Americans. At that time, Perrillo points out, El Paso was 60% Mexican Ameri-



can and most were U.S. citizens. However they had little input in running the public schools. “American schools” for Anglo children were typical for a city at that time. The Mexican American kids were restricted to the south side of El Paso around the barrio in buildings completely overwhelmed. In fact, the administrators resorted to half-day school for many kids – one group in the morning and a different one in the afternoon. When some parents protested and asked for fulltime school for their kids, they were labeled as communists.

At that time the barrio, about a square mile in size, had 50,000 inhabitants. It was a population density unmatched in other U.S. cities.

One interesting example of mixed treatment

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was when Bowie high school, the school from the barrio, won the Texas state high school baseball championship in 1949. The team was allowed to play and represent El Paso but no hotels in Austin would allow them to stay. They slept on cots under the University of Texas football stadium. On the way home, the restaurant they stopped at in Ft. Stockton for dinner wouldn't serve them. The coach shuttled food out to the bus. There is an extensive feature article about this team and their experiences available in the Sports Illustrated archives online for June 11, 2011. It is called "The Barrio Boys."

The irony of this difference in treatment is that most of the Mexican American children were US citizens. On the other hand, the sons and daughters of obvious Nazis, were sent to the American schools on the north side. They were even given preferential treatment in learning English with rewards of ice cream instead of slaps and abuse that children down south endured if they spoke any Spanish at school.

Not being a scholarly person, I found the book a bit of a slog at times. There were places

where I was faced with trying to unpack a plethora of abstractions in one paragraph. For instance, on page 41, Perrillo recounts a Paperclip child's encounter with a black soldier on the train to El Paso. Part of it reads, "As a result, it dramatizes a dynamic in which, as described by George Lipsitz, "the lived experience of race takes place in actual spaces, while the lived experience of place draws its determinate logic from overt and covert understandings of race." It goes on to explain, "That is to say, geographical or constructed space is always ideological space as well."

Perrillo sums up the book herself in the epilogue on page 145. She writes, "This book is not primarily about immigration, even though some of the children it focuses on were immigrants. But it is about the treatment of children – the country's own young citizens – as foreign and less American than actual foreign children." In the end, that is probably about as close as you get to defining institutional racism.

By Jim Eckles  
Las Cruces, NM

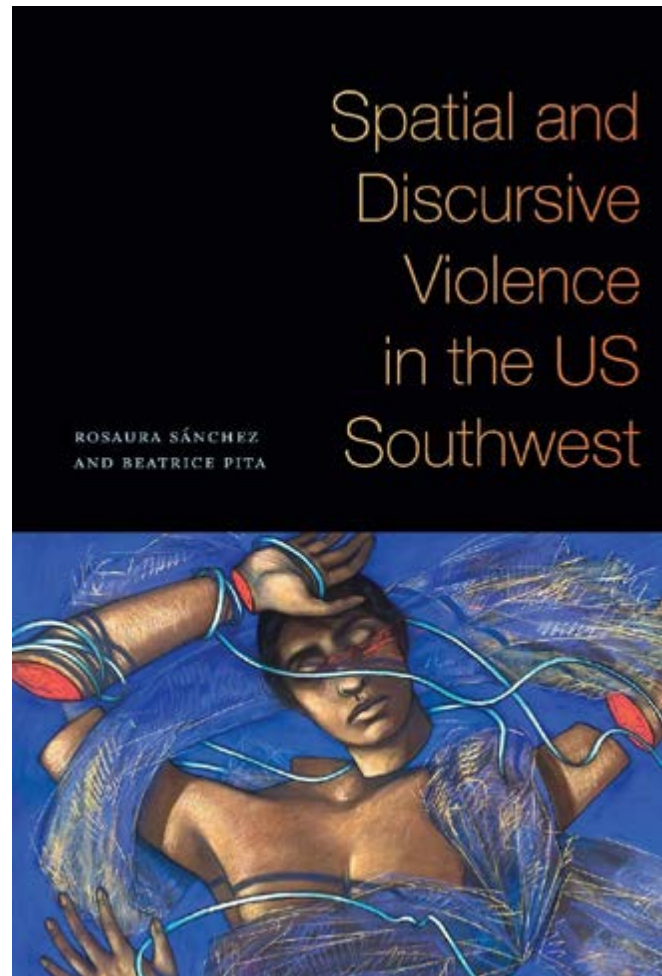
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## Book Review

*Spatial and Discursive Violence in the US Southwest* by Rosaura Sánchez and Beatrice Pita. Durham: Duke University Press, 2021, 272 pages. Paper ISBN: 978-1-4780-1173-6 / Cloth ISBN: 978-1-4780-1060-9. Paperback 26.95, Cloth 99.95.

What impact does literature have on our understanding of geography? How can literature reflect the economic and geographical patterns that have defined the ever-sprawling US Southwest? Rosaura Sánchez and Beatrice Pita have made lasting contributions to the field of Chicana/o Studies. One of these contributions is Sanchez's work on *Telling Identities* (1995) which looked at the testimonies of California elites who lost their land following the US-Mexico War (1846-1848). Sánchez and Pita collaborated on the editing of 19th-century novelist María Amparo Ruiz de Burton's works. Her novel *The Squatter and the Don* (1885), which was co-edited by Sánchez and Pita, catalyzed the study of 19th-century Latinx writing and illuminated the recovery of texts through the Recovering the US Hispanic Literary Heritage project founded in 1991. Their new book, *Spatial and Discursive Violence in the United States Southwest* (2021), extends their examination of spatial conflicts, land loss, and the effects of overlapping colonization(s) on Indigenous and Mexican American communities onto three regions of the US Southwest: New Mexico, Oklahoma, and Texas.

Geographical violence is neither new nor peculiar to the US Southwest. Sánchez and Pita see the Marxist term "enclosure" as an "ongoing process" in both ancient and modern contexts. Indeed, their book's title encompasses the two aspects of enclosure that they investigate: (i) discursive violence, which results in new discourses of citizenship and race when production modes shift, and (ii) spatial violence connected to governmental activities such as war, genocide, and land theft. Rather than romanticizing the past, Sánchez



and Pita use the work of dispossessed Mexican American and Indigenous authors (both old and new) to bring to light the "critical memory" that recalls "the collective scars left by history" (204). By periodizing the enclosures unique to each, Sánchez and Pita span a wide variety of historical periods, from Indigenous communal production systems through semifeudal systems connected with Spanish colonization, and finally to capitalist modes of production in the United States. This book demonstrates how literature can be repurposed as a "symbolic representation of land and loss," as well as a "critical memory of the past," to bear witness to recent enclosures in the Southwest of the United States, "registering how new types of

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spatial and discursive violence are being experienced” (211).

The Oklahoma chapter, based on Linda Hogan’s *Mean Spirit* (1990), exposes the exploitation of Indigenous territory and the Osage massacres in the 1920s to gain access to the Osage’s oil-rich homeland. *Mean Spirit* addresses two fundamental issues: (i) enclosure, as defined by two structural mechanisms: dispossession and privatization, and (ii) the reclaiming of history through “critical memory.” This chapter, in contrast to the following, continues from *Mean Spirit* with pieces by Leslie Marmon Silko and N. Scott Momaday (neither of which are set in Oklahoma). As William Orchard (2021) has keenly noted the following chapters center solely on Mexican American authors, the decision to group all Native American authors into one chapter begs to question their omission from the New Mexico and Texas chapters. The inclusion of indigenous voices and temporal perspectives would have enriched these chapters such as Silko’s and her relationship with New Mexico’s landscape. The works of Mexican Americans discussed in the New Mexico and Texas chapters examine how authors developed an understanding of themselves as historical subjects over time as well as the societal processes in land expropriation. These chapters analyze the role the Mexican Americans played in the enslavement, expropriation, and displacement of Indigenous people from their lands as well as the ways in which Mexican American writers responded to the hegemonic forces seeking to destroy their rapidly dwindling ways of life. Throughout these chapters, Sánchez and Pita demonstrate how literature enables us to comprehend the experience of the enclosure from the perspective of the dispossessed and how Indigenous, Nuevomexicano/a, and Tejano/a narratives have responded, rejected, or capitulated to hegemonic narratives of US Southwest colonialism.

As a sidenote, yet a recurring theme on US Southwest literature, one may also consider why Indigenous and Mexican American authors from Arizona are omitted in the book’s geographic dis-

cussion of the US Southwest. Indeed, more needs to be said about how Anglo settlement, not Indigenous or Chicana/o displacement, has garnered more attention in Arizona’s history books, historical treatises and Hollywood/Spaghetti Westerns. A chapter on Arizona might be read concurrently with works like Geronimo’s autobiography *Geronimo: His Own Story* (1996), Alfredo Véa Jr.’s *La Maravilla* (1993), Patricia Preciado Martin’s *Days of Plenty, Days of Want* (1999), Arizona’s poet laureate Alberto Ríos’ various poetry collections and his memoir *Capirotada* (1999), Stella Pope Duarte’s *Let Their Spirits Dance* (2002), and the posthumous publication of Mario Suárez’s *Chicano Sketches: Short Stories* by Mario Suárez (2004); and although the following authors are not, per se, native to Arizona, Monserrat Fontes’s *Dreams of a Centaur: A Novel* (1997) along with Leslie Marmon Silko’s novels *Almanac of the Dead* (1991) and *Gardens in the Dunes* (1999) are non-exhaustive examples of literary works that can offer Indigenous, Mexican American, and Chicana/o counter-histories while affirming their claims to the state’s landscape. By considering these kinds of works, Sánchez and Pita’s book would then further enhance our historical understanding of these communities as well as their different temporalities of spatial conflicts and land loss throughout the US Southwest and beyond.

Although the book does not equip readers with the means to physically intervene against enclosures, Sánchez and Pita see literary criticism as part of a means of bringing about consciousness that can inspire activism—and even though this is a must-read book for scholars interested in the fields of geography, history, and literature, it is also a book that merits readership from other disciplines as well. In sum, as gentrification and environmental exploitation become new forms of enclosure, *Spatial and Discursive Violence* offers a variety of critical methods for understanding the long history of spatial conflicts in the US Southwest as well as challenging us as readers to consider what future enclosures might entail and the implications for the US Southwest’s ever-sprawling

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yet enclosing landscape.

Jorge A. Hernández Jr.  
University of New Mexico

BIO -- From the small, transnational colonia of Vado, New Mexico, Jorge A. Hernández Jr. is a Ph.D. student specializing in Hispanic Literature within the Department of Spanish and Portuguese at the University of New Mexico. He received both his M.A. in Spanish and B.A. in Foreign Languages and History from New Mexico State University. His research examines both contemporary Chicana/o and Latin American literature(s) through the kaleidoscopes of Urban and Border Studies. Currently, he serves as both the Assistant Coordinator and Teaching Assistant for the Spanish as a Heritage Language program at UNM. He is also the co-founder of Intersecciones Hispánicas: Revista de Cultura, Literatura y Linguística.

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## Memorial

**Carl Eichstaedt**, October 9, 2022 at the age of 87. Carl who was a nationally recognized leader in adapted physical education (APE) was preceded in death by his wife of 53 years, Donna (2011). Both were very active in the Dona Ana County Historical Society with Carl working both the silent auctions at awards banquets and running book sales at membership meetings.

Carl grew up in Morgan Park, a suburb of Chicago and graduated from Morgan Park HS. He attended the University of Illinois at Navy Pier in Chicago and then transferred to Illinois State University (ISU) in Normal, Illinois where he earned a BS in Health, Physical Education, and Recreation (HPER) in 1958 and an MS in Education Administration in 1962. In 1973, he received his Ph. D. from the University of New Mexico (UNM) in APE and Kinesiotherapy. This was followed by an outstanding 20-year career from 1973 to 1992 as a professor at ISU in the HPER Department teaching APE and directing the graduate program in APE teacher preparation.

In addition to his career as a distinguished professor at ISU, Carl had a very notable athletic at many levels. In 1953 he signed a contract with the St. Louis Browns baseball organization and attended their spring training camp. As an undergraduate on an athletic scholarship at ISU, he was a two-time letter winner in football and baseball and named MVP of both teams in 1957. Carl was also a two-time all-conference college selection in baseball as a center fielder. In football he led ISU in rushing and was an All-Illinois Intercollegiate Athletic Conference selection in 1957-58 as well as named to the first-team All-State College Football. According to the Society of Health and Physical Educators, Carl's "greatest contribution to the profession was the many APE professionals he prepared to effectively teach physical education to children with disabilities throughout his career at ISU. He consistently was awarded competitive grants from the US Department of Education - Office of Special Education Programs (OSEP) to effectively prepare his graduate level university students who had a major impact on APE services nationally and in Illinois. Many of these teachers are still practicing in PK-12 schools."

Carl and Donna moved to Las Cruces in 1992, where they both contributed to local education and helping DACHS preserve and promote local history.