

Chapter Two

The Stage

The War Begins

When the Confederates opened fire on Fort Sumter in Charleston Harbor on April 12th, 1861, they caused a rippling shock, and surge of patriotic emotions (both north and south) throughout the entire United States and all her territories. Even in far-flung New Mexico the reverberations were just as profound and people found themselves suddenly faced with a critical choice: North or South. People everywhere had known for a long time that the choice would be eventually in the making, but after Sumter, they knew for sure that the moment for confirmation was here at last – and it was finally time to ‘ante up.’ Three days later, on the 15th, President Abraham Lincoln called to service 75,000 volunteers for the Union. The entire nation began to think of mobilization, and the US Government, or what was left of it, with a hostile rebel army assembling only miles away from the nation’s capital, was preoccupied, to say the least, with events nearby (‘panicked’ might actually be a more appropriate description).



Abraham Lincoln
President of the United States

Lincoln and his cabinet were a good deal more concerned with Confederate developments in the East rather than the West or even the Midwest. Richmond was only a few miles away from Washington. They had to recruit volunteers, consolidate the Regular Army, stockpile clothing, equipment, arms, ammunition, food, medicines. It was a monumental task and everyone knew the war would be won or lost there, in the East. New Mexico was a remote concern as well an irritation, detracting from more important concerns. And where and what was New Mexico anyway? The inhabitants, “were dismissed as troublesome Mexicans who contributed nothing to the country and whose constant need for protection from the Indians was a costly bother and burden.” When queried about supporting southern New Mexico against a possible invasion, Simon Cameron, the Secretary of War, replied, “measures have been or will be taken commensurate with its importance.” Not a week later, most of the Regulars were ordered to move east. Unlike the Unionists the Confederates were much more interested in New Mexico.¹

The Confederacy’s perceptions of New Mexico were largely due to the exhortations of the New Mexico delegate to Congress, Miguel A. Otero, who contributed to pro-slavery rhetoric, both in Washington and in New Mexico. One observer noted, “...Otero has let it be known that if

¹ Alvin M. Josephy Jr., The Civil War in the American West (Vintage Books, 1991), 390, footnote 20.

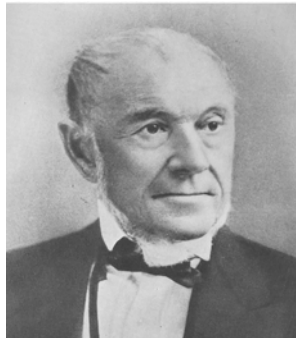
New Mexico expects any favors from Washington, a slave code would be a wise move.”² To the delight of Southerners everywhere, in 1857 and in 1859, New Mexico passed legislation legalizing and protecting slavery, the latter entitled “An Act Providing for Protection of Slave Property in this Territory.”



Miguel Otero

Miguel Otero was born in 1829 in Valencia, New Mexico, to parents Don Vicente Otero and Doña Gertrudis Aragón de Otero who were both natives of Spain. Miguel attended local schools in his youth and went to St. Louis University in 1841 and then studied law at Pingree College in Fishkill NY. He finished law school in Missouri and returned to New Mexico where he worked as a secretary to Governor Lane, then as state attorney general, and later, as a representative to the Territorial Council. In 1856 he became a delegate to the U.S. House of Representatives (as a Democrat) where he served until 1860.

Abraham Rencher, the governor of New Mexico at this time, being a North Carolinian by birth, did not oppose Miguel’s actions. As a young man Rencher had attended a local school, augmented with home schooling, and graduated from North Carolina University in 1822. He studied law and became a practicing lawyer in 1825 in North Carolina. He served five terms in Congress and he became the U.S. Minister to Portugal from 1843 until 1847. In 1858 he was appointed Governor of New Mexico by President Buchanan.



Abraham Rencher
Governor of New Mexico

No doubt, the main thrust of the pro-slavery argument in the Territory, spearheaded by the Otero and Armijo families, was fueled by the fear that the Dons would lose all their peones if they did not join with the South. In addition, due to commercial trade relations with southern Americans, and the number of army officers and public officials from the South, the Ricos were

² Calvin Horn, New Mexico’s Troubled Years: the Story of the Early Territorial Governors (Horn and Wallace, 1963), 86.

actually more familiar with southern Americans than they were with northerners. Horace Greeley, the famous newspaper editor, wrote about the Territory. “Her Mexican population, ignorant, timid, and superstitious, had been attached to the Union by conquest, scarcely fifteen years before, and had, meantime, been mainly under the training of Democratic officials of strong pro-slavery sympathies, who had induced her territorial legislature, some two years before, to pass an act recognizing slavery as legally existing among them, and providing stringent safeguards for its protection and security – an act that was still unrepealed.”³

The slavery law passed in 1857 provided that no free person of African or Mulatto descent could stay in New Mexico for more than 30 days, or they could be fined 50-100 dollars and sentenced to hard labor for one to two years. The law enacted in January, 1859, protected slaves as property and provided fugitive laws similar to those in effect in other southern states. It furthermore attempted to distinguish between slavery and peonage, by clarifying that ‘slavery’ only pertained to those of the African race, while ‘contracted service’ [peonage] related to those of other races. However, many people who were familiar with the custom, considered peonage to be a form of slavery (some even going so far as to say it was worse than slavery), and slavery of captive Indians did not even enter into the discussion.

New Mexico had had a peonage system for more than a hundred years. It was a voluntary agreement of servitude to pay off a debt. The children of a peon were excluded from the burden of that debt. Generally speaking a peon retained his or her personal rights. There also was a custom to have Native American slaves, notably from the hostile semi-nomadic tribes. There was no law regarding this servitude. These, unlike peons, could be bought and sold as property. There were few hidalgos who did not have some Indian slaves. Peonage was finally abolished by Congress in 1867.⁴

The peonage system had developed out of the Spanish Encomienda system, the name deriving from the Spanish word ‘encomendar,’ meaning to entrust. This system was transferred from the conquered Moors in Spain to the Native Americans in the New World. It was nothing more than a grant to hold slaves for labor on plantations and in mines. The missions had a similar system but the reason for their form of ‘slavery’ was salvation and civilization but still included a lot of servitude. Neither system was appreciated by the natives. In New Mexico the Encomiendas were mostly farming and ranching plantations and along with the missions they were pretty much the biggest reason for the Pueblo Revolt of 1680. The Spanish crown had not intended the system to produce slavery, and tried to control the abuses of the system, but in the end had to abolish it. When the Spaniards returned to New Mexico in 1693, except for slavery of Indian captives, the system had softened into peonage which was more acceptable. The first peons in New Mexico were probably Genisaros, Amerindians who had become culturally Spanish. Many free men became peons through purchases of credit made in a Rico’s store, and then they were snared for life. Nevertheless, peonage flourished where slavery had not.

Americans who feel superior to and more progressive than the “cruel Spaniards” need to be reminded that, yes, we did not enslave ‘our’ Native Americans. We took their lands through genocide and expulsion and then brought over black slaves from Africa to work on our own encomiendas. And here we were, on the eve of a bloody Civil War in 1861 to fight over what the Mexicans had already given up freely in 1829. Furthermore, when the war would be over, the New Mexicans would free their peones while the system spread into America as a replacement for slavery, especially in the South. It would take many forms such as sharecropping, tenant farming, and outright indebted servitude but it would become a long-standing staple of the American economy. One hundred years later, as late as 1960, some states still legally allowed forms of peonage in the United States. But the North should not feel superior over the South

³ Ralph Emerson Twitchell, Esq., Leading facts of New Mexican History, Volume 2 (The Torch Press, Cedar Rapids, Iowa, 1912), 358, footnote 281, a quote from Horace Greeley, American Conflict, 20.

⁴ Twitchell, Leading Facts II, 325.

either, because northerners had their own forms of peonage created by the big industrialists. “I owe my soul to the company store...”⁵

Meanwhile, back in 1861, without realizing that New Mexicans were actually apathetic to American issues, once the notice of these slave laws was published in the eastern states, most Americans believed that New Mexico would throw her lot in with the South. In fact, to the Confederacy, it appeared that the entire Southwest could and would become pro-southern...and New Mexico seemed to be the least problematic portion of that equation. Many Southerners believed that this fantastic dream was simply theirs for the taking. They believed they might win California and that a strong presence of southerners in Colorado would prevail there. Arizona was considered to already be secessionist and New Mexicans would gladly join with the South as soon as their accomplishments were made known. They even hoped that the Native Americans would help them win. It was also felt that the remoteness of New Mexico would make it indefensible by the Union, and the valuable military stockpiles would soon be absorbed. The aim of Southern strategists was to capture a seaport on the West Coast and the Colorado gold mines in the Rockies.⁶

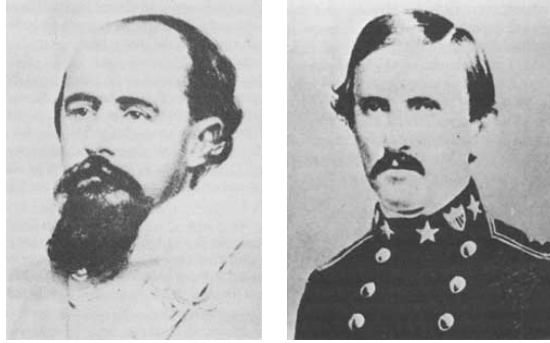
The situation in New Mexico was further dramatized when the two U.S. Army commanding officers of the Territory were revealed to be pro-southern. Even before the activation of Abraham Lincoln’s presidency, the U.S. Secretary of War, John B. Floyd, had contrived to position Confederate sympathizers Colonel W.W. Loring, of North Carolina and George B. Crittenden as commanders of the forces in New Mexico in order to facilitate manipulation of the forces in that state. It was their job to corrupt the patriotism of their subordinate officers as much as possible. It was Major Benjamin Stone Roberts who first realized what was developing and sprang into action to countermand it. First, he would not obey any treasonous orders and second, he hurried to Santa Fe to “denounce Crittenden to Loring.” Then he was shocked to find that Loring thought things were fine just the way they were and Roberts should not meddle with anything but his own business. Loring quickly ordered him to return to Fort Stanton, but on the way he talked with Captain Hatch at Albuquerque and Captain Morris at Fort Craig and others to let them know about the traitorous leanings of Crittendom and Loring. Once the word was out, the pair of miscreants “found it necessary to leave suddenly.” In reality very few of the 1,200 soldiers proved to be for the south but, unfortunately, the ones who did were usually officers, and some were very good officers.⁷

In truth, Loring himself had been left ‘holding the bag’ while he submitted his own resignation. In May, Colonel Fauntleroy, commander of the Department, had resigned because he was also of Confederate sympathies, making Loring the new commander. William Wing “Old Blizzards” Loring was born in North Carolina in 1818 to Reuben and Hanna (Kenan) Loring. He had been soldiering since he was fourteen years old in the Seminole Wars in Florida. Later, he went to college and studied law and graduated from Georgetown College. He volunteered for service during the Mexican War at the age of twenty-seven and was promoted from Captain to brevet Lt. Colonel for valorous conduct. After the war he stayed on in the Army and became the Department commander of Oregon before being assigned to New Mexico under Colonel Fauntleroy. At thirty-eight years old he was the youngest line colonel of the U.S. Army. In addition to Loring, one third of the U.S. Army officers in service resigned from their commands and moved to join the Confederacy, an act which most of the remaining loyal troops considered to be desertion and betrayal. The effect of this on the morale of the remaining troops was nearly devastating.

⁵ Tennessee Ernie Ford, Sixteen Tons - Classic Country: 1950-1964, Time Life.

⁶ Twitchell, Leading Facts II, 358, footnote 283)

⁷ Twitchell, Leading Facts II, 360.



L-R: William W. Loring and George B. Crittenden

Along with Crittenden and Loring Major Henry Hopkins Sibley, Major James Longstreet, Captains Trichard S. Ewell, Cadmus M. Wilcox, Carter L. Stevenson, and Lieutenant Joseph Wheeler resigned and traveled south or east. Each one of them would become a general in the Confederate Army. “We were being deserted by our officers,” complained one man who remained loyal. “We were practically an army without officers.”⁸ With all the gaps in leadership the morale of the troops plummeted. Wherever the defectors appeared they instilled a lack of confidence in the men. At Fort Fillmore near Mesilla Major Sibley shouted from his wagon, “Boys, if you only knew it, I am the worst enemy you have.”⁹

The exodus of so many Union officers caused a vacuum within the leadership of the Union Army in the Southwest. Those who were still loyal had no idea what they should do. They had not been prepared for this. Therefore, much of the normal business of the Federal Army had been neglected for some time. Although Loring had already submitted his resignation and was getting ready to leave, the War Department was too busy to select his successor. Major Edward Richard Sprigg Canby and Major B. S. Roberts were the ranking officers left in the Territory to literally ‘hold the fort.’ Canby was senior to Roberts but being a professional soldier he waited for confirmation of his appointment to command of the department. None came. He searched the official Regulations...nothing there on what to do when all your superiors resign.

Both Canby and Roberts were graduates of West Point and talented career officers that had considerable experience in the West. Canby was born at Piatt’s Landing, Maryland, in 1817 and graduated from West Point in 1839. Like all his peers he served in the Mexican War, the crucible of training for the Civil War, and was twice praised for commendable actions. After the war he remained in the Army, serving all over the west, including a campaign with Sibley against the Mormons in 1857-58. He also had served with Sibley in the recent New Mexico Navajo campaign of 1860-61.¹⁰ Benjamin Roberts came from Vermont from a notable military family. He graduated from West Point in 1835. He was a lawyer as well as an engineer and the final formidable fortification of Fort Craig would be due to his credit. He had worked in the past as an engineer for the railroad and assisted on the construction of the Moscow to St. Petersburg railroad in Russia. He was brevetted in rank twice for bravery during the Mexican War and had been serving in the army in the west when he was not on special assignment elsewhere.¹¹ They were both staunch and resolute unionists and, to their credit, they would hold New Mexico as long as they could. Finally, on the 17th of May, 1861, Canby made his move. He announced without

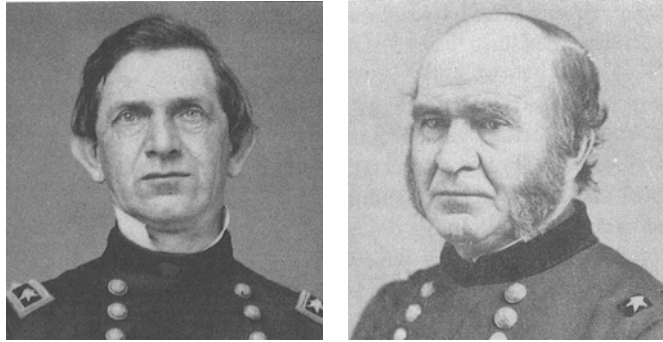
⁸ Josephy, *American West*, 34.

⁹ Josephy, *American West*, 37.

¹⁰ John Taylor, *Bloody Valverde, A Civil War Battle on the Rio Grande, February 21, 1862* (University of New Mexico Press, 1995), 13-14.

¹¹ Taylor, *Bloody Valverde*, 37-38.

orders that he was taking over command to protect the department “otherwise it might be in the highest degree disastrous.” After that he called for volunteers.¹²



L-R: Edward R. S. Canby and Benjamin Roberts

Meanwhile, as early as May, New Mexicans, especially the younger men, began to talk enthusiastically about enlisting in the army.¹³ But the army in New Mexico wasn't ready to receive them yet and Canby could not set the wheels of recruitment in motion for another whole month. First Canby promoted himself to a brevet Lt. Col. (which was confirmed later) and then also promoted Major Roberts to a brevet Lt. Col. and sent him to command Fort Stanton in the southeast part of the Territory, near the present day town of Lincoln. Canby also handed out brevet promotions to several other officers, including William Chapman at Fort Union and Allen L. Anderson, whom he selected to be his adjutant, working out of Fort Marcy in Santa Fe. Then he began to consolidate his Regular Army troops. There was a great deal of uncertainty reigning in the Federal ranks in both the officers and men at this time. But if the troops in New Mexico were not in very good shape, they were no worse than Union troops anywhere else. It is a strange fact of the Civil War that in the first two years most of the Union officers throughout the North lacked confidence and clarity.

This phenomenon had never existed to such an extent in the U.S. Army before. And if that wasn't enough, most of the Union Regulars, especially Canby and Roberts, also lacked any confidence in the nearest available source of additional manpower, the New Mexicans. Although Canby had been in New Mexico for some time he still had no idea regarding the character of the people who inhabited the area. He thought of them as apathetic, unwilling to prepare for defense, and more concerned with their own petty interests. “I question very much whether a sufficient force for the defense of the Territory can be raised within its limits, and I place no reliance upon any volunteer force that can be raised, unless strongly supported by regular troops.”¹⁴

The New Mexicans were thought by the Americans to be undependable. In one correspondence a U.S. officer commented with unusual candor, “The Mexicans are a peculiar people, and the sooner I get east of the Mississippi, the better I shall like it. I do not know exactly what to make of them. I do not doubt many of them feel brave enough now, but how it will be in case of actual invasion, time only can determine.”¹⁵ Although the locals had fought for their very lives throughout centuries of unceasing Amerindian raids Canby and the other Anglos thought of them as useless in a fight. American arrogance, outright prejudice, and lack of cultural understanding convinced them that New Mexicans would not stand up against the Texans.¹⁶

¹² Chris Emmett, Fort Union and the Winning of the Southwest, (University of Oklahoma, 1965), 237.

¹³ Jacqueline Dorgan Meketa, The Life of Rafael Chacón, a Nineteenth Century New Mexican (University of New Mexico Press, 1986), 118.

¹⁴ Twitchell, Leading Facts II, 369.

¹⁵ John P. Wilson, When the Texans Came (University of New Mexico Press, 2001), Rossell to Canby, 118.

¹⁶ Josephy, American West, 41.

Is it really possible that the New Mexicans lacked fortitude and bravery? This myth may have stemmed from the days of the Mexican War, in which Americans easily won battles against the Mexican Army. However, veterans who were paying attention realized that this was not exactly the case. W.W.H. Davis who served as a 1st Lieutenant in the 1st Massachusetts Volunteer Infantry regiment during the war wrote:

*I believe the Mexicans have been unjustly accused of cowardice as a race, and denied the attributes of personal courage that belong to every other people. In looking at the source from whence they spring, we see no reason why they should not possess all the physical virtues that belong to the human race.*¹⁷

In the late war between the United States and Mexico, the rank and file of the Mexican army, in many instances, exhibited a bravery that would have done honor to any troops in the world; and upon the frontiers of New Mexico, in their conflicts with the Indians, the peasantry have frequently behaved in the most gallant manner.

*... With American officers to lead them, they will make excellent troops; and they possess a power of endurance under fatigue which excels most other people.*¹⁸

Ulysses S. Grant also made similar notations during that war. He said, “The Mexicans... stood up as well as any troops ever did,” and, “...I have seen as brave stands made by some of these men [Mexicans] as I have ever seen made by soldiers.”¹⁹ Earlier, American explorer Zebulon Pike had visited New Mexico in 1806 and wrote in his journal, “Being cut off from the more inhabited parts of the kingdom, together with their continual wars with some of the savage nations who surround them, render them the bravest and most hardy subjects of New Spain.”²⁰ Pike also noted that New Mexican soldiers were outstanding, except they were poorly trained and armed. But Pike’s, Davis’ and Grant’s views were unusual, shared mostly by Americans who had ‘gone native,’ and had integrated into New Mexico society before it became American – men like Kit Carson, Governor Bent, Ceran St. Vrain, and Governor Connelly, etc. Even as late as 1866, the qualities of New Mexicans were still not recognized, and Carson felt compelled to explain to his superior, Brigadier General James Carleton, “I am convinced that the best troops that could be used in war with them [Indians] would be Mexicans as they are more energetic and untiring in pursuit, enduring a larger amount of physical fatigue and, when well-officered, their courage is unquestionable.”²¹ However, other than this brief note, these men did not leave us much in writing to go on. Most people who wrote things down felt differently and tended to describe the New Mexicans as ‘inferior.’ Even today, historians try to soften the accusations and implications by describing the New Mexicans as ‘untested,’ ‘untried,’ or ‘inexperienced,’ because they think, due to these early reports, that the New Mexicans were cowardly and undependable in battle. But these are modern misperceptions based on the prejudices of the day.

Apparently there was another concern shared by those in authority. It was that the New Mexicans were still “imperfectly loyalized.” On July 3rd, 1861, in a letter to Simon Cameron, the U.S. Secretary of War, from Judge Perry E. Brocchus, it was advised that if the former wanted to improve conditions in the Territory of New Mexico and instill “in the hearts of her people the

¹⁷ W. W. H. Davis, El Gringo, New Mexico and her People (University of Nebraska Press, 1857), 217-218.

¹⁸ Davis, El Gringo, 219.

¹⁹ Men-at-Arms Series 56, The Mexican-American War 1846-48 (Osprey Publishing Limited, Elms Court, Chapel Way, Botley, Oxford, OX29LP, UK), 20-21.

²⁰ Time Life Books, The Old West Series, The Spanish West (Time Inc., 1976), 141.

²¹ Charles and Jacqueline Meketa, One Blanket and Ten Days Rations (Southwest Parks and Monuments Association, Globe, AZ), 1980, 39.

staff from which floats the 'flag of the free,' you must show the good faith of giving them ample protection, alike against the marauding savage and the rebellious domestic foe."²²

In other words, to make them good and loyal citizens, give them the military and civil support they needed. But, unfortunately, the U.S. government wasn't about to do that. They didn't feel they could spare any troops and even wanted to take those that the Territory had. One thing that Judge Brocchus was right about – the best way to help the New Mexicans was to solve their most chronic problem – the Indian problem.

The Indian Problem

Throughout the 1850s, native New Mexicans did not feel they were getting the protection they had been promised and this was further aggravated by the refusal of the military to provide adequate arms and pay for the Territorial militias. With improved arms, they could have protected themselves better than the Army could. At one point, the Governor of New Mexico did receive 100 stand of arms, but they were all determined to be unserviceable. Only 100 weapons – and they didn't even work! Much of this neglect was due to the fact that the United States Congress had long been exasperated with the expense of maintaining New Mexico. The current Secretary of War in 1852, Charles Conrad, let people know that the defense of New Mexico was, "A waste of money." He continued in more detail, "New Mexico, inaccessible, inferior inhabitants, its total real estate value \$2,700,000 costs \$1 million annually for defense, one half the total land value to protect 61,000 inferior people. It would save money to pay settlers to move out; troops could serve better elsewhere." Hearing of this rant the Santa Fe Weekly Gazette replied, "if Conrad's going to sell us out, he better raise his estimate, because New Mexico's cash value now is \$5,171,471."²³ And the US had paid Texas ten million dollars for one quarter of the Territory! To most Americans, New Mexico was considered more of a burden than an asset. They felt that the U.S. had spent enormous sums with very little return. A list of Congressional budgetary approvals for New Mexico:

Acts of Congress in relation to New Mexico, appropriations, etc., during the decade 1850-1860 are the organic act and appropriation of \$20,000 for public buildings and \$5,000 for a library;

1851, appropriation of \$34,700 for territorial government \$18,000 for the Navajó Indians and \$135,530 for payment of the volunteers of 1849;

1852, \$31,122 for the government of the territory;

1853, appropriation of \$32,555 for government expenses and \$10,000 for Indian service; authorizing legislature to hold extra session of 90 days; authorizing employment of translator and clerks, sessions of 60 days instead of 40 days, payment of code commissioners;

1854, appropriation for government \$31,620, for public buildings \$50,000, roads \$32,000, and Indian service \$45,000; appointing surveyor general and donating lands to settlers; increasing salary of governor to \$3,000, and judges to \$2,500; attaching Gadsden Purchase to New Mexico; authorizing payment of civil salaries for 1846-1851 under the Kearny code; and establishing a collection district;

1855, appropriation for government \$35,500 including \$2,000 for archive vaults, Indian service \$52,500, surveys \$30,000, Texas boundary \$10,000, raising governors salary to \$3,000;

1858, appropriation for government \$33,000, Indian service \$85,000; road \$150,000; creating a land district; confirming Pueblo land grants;

1859, appropriation for government, \$17,000; Indian service \$75,000;

²² Official Records of the War of the Rebellion, Brocchus to Cameron 7/3/61.

²³ Glen O. Ream, Out of New Mexico's Past (Sundial Books, Santa Fe, New Mexico, 1980), 63.

1860, appropriation for government \$23,500, Indians \$50,000, capitol \$50,000, confirming private and town land grants;

1861, appropriation for government \$20,500, Indians \$50,000, roads \$50,000; act attaching all north of latitude 37° to Colorado.²⁴

Indeed, to many Americans, New Mexico was a veritable financial sinkhole. A wasteland of pastoral, non-industrial ‘Mexicans,’ sedentary but sometimes hostile Pueblo Indians and nomadic and semi-nomadic marauding savages. It was difficult for Americans to see any value in protecting it. Meanwhile, even the well-intentioned territorial governors were almost completely helpless. When early governor Calhoun took over the State of New Mexico he discovered that it was an impossible job due to a lack of support. After six months in office he wrote, “without a dollar in our treasury, without munitions of war, without authority to call out our militia, without the cooperation of the military authorities of this territory, and with numberless complaints and calls for protection, do you not perceive I must be sadly embarrassed and disquieted?”²⁵

At the same time, the army was asking “What’s the problem? All is quiet.” Of course it was; Indians didn’t attack forts (not until 1860). No doubt, New Mexicans were amazed by the incredible show of complete indifference and incompetence by their new ‘Owners.’ At least when they were Mexicans, they knew they were on their own and the government didn’t even bother to make feeble promises. In 1852 John Greiner, Indian Agent for New Mexico, reported, that there were in his estimation 92,000 natives in the Territory with 1,000 U.S. troops to keep them in line. The Dragoon horses were heavy and in poor shape while the Native horses were, “as fleet as deer.” “Cipher it up,” he wrote, adding that the Dragoons knew nothing about the countryside and the Natives always had a head start. “So far, although several expeditions have started after them, not a single Indian has been caught!”²⁶



Stephen Watts Kearny

A person could get the feeling that the Army was actually there, not to serve and protect, but rather to keep the inhabitants in their place – more like jailors in a vast desert prison. The United States’ real interest was not in New Mexico itself, but in the connection it made to California. It was a giant dust bunny on the road to gold dust Utopia. Somewhere along the way, the benign 1846 American occupation of New Mexico had turned into a perverse and repressive government. In the confusion following General Kearny’s entrance, occupation, and establishment of laws, President Polk had revoked Kearny’s accomplishment and with nothing

²⁴ Twitchell, *Leading Facts II*, 310, footnote 235.

²⁵ Twitchell, *Leading Facts II*, 284.

²⁶ Colonel George Archibald McCall, *New Mexico in 1850: A Military View* (University of Oklahoma Press: Norman, 1968), 188.

immediately forthcoming to replace it, left the Territory in utter confusion. The American response was a form of chaotic repression, enforced by the Army, the repercussions of this mismanagement were still being felt up into the American Civil War (and perhaps further). Unfortunately, in 1847, the problem had been further exacerbated by the 'rebellion' of people who still considered themselves to be citizens of Mexico. Since then, although the civil legislature had made great strides in sorting out the laws of the land, apparently the Army still kept their attitude of guarding America against New Mexico. To New Mexicans these conditions represented the mind set of the country that had taken them over, not the promise that Kearny had made in 1846, which was to protect them and their rights rather than repress them.²⁷

Old habits die hard. Even the catastrophe of a pending Texan invasion did not prompt supporting action. Once again, New Mexico, along with the inadequate support of the remaining U.S. Regulars, was on her own. And New Mexicans had more than Texans to fight, they had the Amerindians as well: Comanche, Apache, and Navajo. By 1860, the hostile native situation had become intolerable. The Apaches believed that the disappearance of the Butterfield Stage Coaches and the withdrawal of U.S. troops meant that they were winning their fight. It appeared that the Americans were leaving. With renewed force the Chiricahua and Mimbrenño Apaches attacked and by May Mesilla Valley citizens were receiving deadly raids almost daily.²⁸ In the southeastern part of the Territory Mescalero Apaches, in the north and east Utes, Comanches, and Kiowas also struck with impunity, but Lt. Col. Canby refused to be distracted from the threat of a Texan Invasion.²⁹

The report of the Indian Agent stated that during 1859 and 1860 almost three hundred people had been killed by Natives along the San Juan and Las Animas Rivers alone. The Mines had had to be abandoned. Elsewhere forty Americans and fifteen 'Mexicans' had been killed. The Army foray into Navajo country had been almost fruitless except for the destruction of Native livestock. Many of the peaceful Navaho, the ones who had suffered from the depredations of others asked for a twelve month peace.³⁰

But New Mexicans knew from experience the Navajo problem was not so easily solved. They had made many treaties in the past. Navajo renegades called 'ladrones' ('thieves' in Spanish), young men who were not under the leadership of any of the established chiefs and did not recognize their treaties had continued raiding at will; and if the Native Americans had trouble keeping treaty agreements, it goes without saying that so did the U.S. government and its agents, and often the civilians themselves. And here in the Territory, some of the New Mexicans also aggravated the already complicated situation. The most western village of Cebolleta was expressly a staging place for slave gathering. The "Cebolleteños," as they were called, made raids upon the Navajos to capture boys and girls who could be sold as slaves. Wealthy New Mexicans had a custom by which they would give newlyweds one or two slaves as wedding gifts.³¹

During the 1850s, the Native American problem appeared to be insoluble. The raiding by hostile tribes would not end until all New Mexicans were destroyed or the belligerent tribes were decisively defeated once and for all – and no one could see any possibility of the latter occurring. At various times in their history, New Mexicans had solved Indian crisis on their own, through punitive raids as well as through gifts and trading. They could do it again, given the resources. But if the Americans lacked confidence in the New Mexicans, the New Mexicans must have felt even more so about them. To New Mexicans the Americans appeared to be completely

²⁷ Ralph Emerson Twitchell, The History of the Military Occupation of the Territory of New Mexico (Arno Press, New York, 1976), 180.

²⁸ Josephy, American West, 50.

²⁹ Josephy, American West, 51.

³⁰ Twitchell, Leading Facts II, 319-320.

³¹ Twitchell, Leading Facts II, 304, footnote 228.

incompetent. One resolution of the New Mexico Council in December 1852 read: "...since the entrance of the American army under General Kearny this Territory has been a continual scene of outrage, robbery and violence carried on by the savage nations by which it is surrounded; that citizens daily are massacred, stock stolen, our wives and daughters violated and our children carried into captivity."³²

The violence continued almost entirely unabated and by the latter part of the decade, the trust of the people of New Mexico in the U.S. Army was at an all time low. Even though there were more Army troops in New Mexico now than there had ever been in the Mexican or Spanish periods, the Indian problem had not improved. In fact, according to the locals, it was getting worse. The situation was so bad that when the Texan invaders finally overran Socorro, New Mexico in 1862, a leading Hispanic merchant and farmer named Pedro Baca, said, "The United States Government was a curse to this Territory, and if the Texans would take and keep possession of New Mexico the change could only be for the better."³³ Little did Baca know that the Texans had just as many problems with the marauding natives as the Federals. Some people take Baca's statement to indicate a marked disloyalty among the New Mexicans, but needing protection is not disloyalty. In actuality his words are an indication of the complete and utter frustration of New Mexicans with the United States and particularly with the US Army. A typical statement of the pre-Civil War period is as follows: "The American troops are at war with the Indians, and if they could only catch them (the Navajós), would give them fits, but Colonel Sumner is on his way back from their country without even seeing one of them." Not to mention that while Sumner was ranging out to capture the Natives many of them had apparently doubled back to within twenty miles of the capital and stolen livestock.³⁴ Another civilian wrote that the entire countryside was controlled by the Natives and Citizens were only safe at an Army Post, or in villages or towns. And when they traveled they had to go in large groups for safety, "or at night by stealth, trusting to Providence, or luck, each according to his faith."³⁵

The American reluctance to arm the New Mexicans turned out to be a mistake, because in response to Indian raids, the locals usually reacted quicker and chased the raiders longer and harder than the U.S. troops did. Traditionally, at the first sign of trouble, a drummer in a village plaza would sound the alarm. Grabbing weapons and ammo from the town's armory, and a few rations, all the available able-bodied men would quickly assemble in the plaza and ride off after the perpetrators. Immediately following, the villagers would begin packing a supply wagon with extended rations and when ready, the wagon and more men would follow the pursuers. Meanwhile, a message had to be sent to the nearest military installation, an army detail had to be assigned; they would draw a few days rations and then ride out, often hours after the crimes had been committed. When the rations ran out, the soldiers returned. By then, in most cases, the New Mexicans had already caught or lost the raiders and the event was closed. Consider this typical event written down by Samuel Woodworth Cozzens in his book "The Marvelous Country."

At La Mesilla, approximately in 1858, a family of Mr. E. J. White were traveling to Fort Buchanan near Tucson. His party included himself, his wife and infant, and two Mexican servants. Cozzens and his group were staying in town to replenish supplies. He was awakened early in the morning by the beating of a drum in the town plaza. He hurried outside to where a group of New Mexicans were hearing an account by two ranchers from the Rio Mimbres area. They had found the scalped bodies of two men, an American, and a New Mexican. The women and infant were assumed to have been captured. Cozzens rode hastily to Fort Fillmore a few

³² Twitchell, Leading Facts II, 292.

³³ Jerry D. Thompson, Ed., With the New Mexico Militia: The Civil War Diary of Major Charles Emil Wesche (Password, Vol. XXXIX, No. 1, 1994), 46.

³⁴ Twitchell, Leading Facts II, 284, footnote 206.

³⁵ William Wallace Mills, Forty Years at El Paso 1858-1898, W. W. Mills, 1901, 26.

miles away. He returned to find that an expedition had been gathered to chase after the marauders. Cozzens and about six other Americans volunteered to go with them. They were aware that the group was very encouraged because Don Manuel Chaves and Don Jesús Armijo, two of the most celebrated Indian fighters had agreed to go with them.³⁶

Despite the best efforts of the Volunteers, Mrs. White and the infant did not survive, and, even though a fort was nearby and the troops were alerted early on, the promised soldiers never arrived. Even after the Civil War, army practices were still no better and one New Mexican commented: "It is really a melancholy, if not shameful way in which the military go to work to protect the settlers on the frontier, especially so in time of actual danger." He continued his lament with the statement, "As soon as the news reaches a post that depredations by Indians have been, or are being committed, a troop of cavalry or even infantry, is called out, on the spur of the moment, who, reaching the scene of the disaster, either find the bird flown or if in the neighborhood, the supplies of rations which were taken along, will not justify the troops to follow on the trail, and home they go again."³⁷

The army was not always lethargic. There were instances when they took the field aggressively after an emergency, as in the case of another Mrs. White who unfortunately met the same fate. On that occasion, the U.S. Cavalry was assisted by Kit Carson as well as by Captain Valdez' mounted New Mexico Volunteers from Mora. But the lack of response happened all too often nonetheless. From the Army's point of view they had been very active during the 1850's. Here are the highlights of their engagements:

1849 October 24 near Las Vegas, detachment of 3rd Artillery [precipitated the Jicarilla/Ute War].

1849 Nov. 15, Co. I 1st Dragoons, destroyed a Jicarilla Camp on the Canadian River.

1852 Feb. 2 fight on the Jornada del Muerto, detachment of Troop H, 1st Dragoons.

1852 Jan. 24-Feb. 19 near Laguna on the Jornada del Muerto, Troops D, E, and K, 2nd Dragoons.

1852 Feb. 6, near Ft. Webster, N.M., K Company, 3rd Infantry.

1854 March 30, Battle of Cienguilla versus Jicarilla Indians at Cienguilla NM, detachments Co. F & I, 1st Dragoons [the most decisive Indian battle of the decade, the dragoons were almost destroyed].

1855 Jan. 15 White Mountains, Troop H, 1st Dragoons.

1855 Jan. 19 Peñasco River, near White Mountains, Troop B, 1st Dragoons.

1855 March 19 Cochotopé Pass, Chowatch Valley, N.M., Troops D and F, 1st Dragoons and D Company, 2nd Artillery.

1855 May 1-2, Chowatch valley N.M., Troop D, 1st Dragoons and D Company, 2nd Artillery.

1855 June 13, on Pecos River, Company I, 5th Infantry.

1856 March 20, Almagre Mountains, N.M., Companies B and I, 3rd Infantry.

1856 March 29, Mimbres Mountains, Companies B and I, 3rd Infantry.

1856 November 30, Sacramento Mountains, N.M., detachment of Company C Mounted Riflemen and G Company, 1st Dragoons.

1857 March 9, Mimbres Mountains, Detachment Company G, Mounted Riflemen.

1857 March 11, Ojo del Muerto, detachment Company B, Mounted Riflemen.

³⁶ Marc Simmons, The Little Lion of the Southwest (First Swallow Press/Ohio University Press, 1996), 140-142.

³⁷ William A. Keleher, The Fabulous Frontier (The Rydal Press, Santa Fe, New Mexico, 1946), 6, footnote.

1857 May 24, Mogollon Mountains, Companies C, D, and I, Mounted Riflemen; Company B and detachment of Company E, 3rd Infantry.

1857 June 27, Gila River, Companies B and G, 1st Dragoons; B, G, and K, Mounted Riflemen; Company C and detachments F and K, 3rd Infantry; Companies B, H, and I, 8th Infantry.

1857 December 7, Ladrones Mountains, detachment Company F, Mounted Riflemen.

1857 December 13, Dragoon Springs, detachment Company F, Mounted Riflemen.

1858 March 11, Huachuca Mountains, detachment Company G, 1st Dragoons.

1858 May 30, near Fort Defiance, detachment Company I, Mounted Riflemen; Companies B and G, 3rd Infantry.

1858 August 29, Bear Springs, detachment Company I, Mounted Riflemen.

1858 September 9-15, Laguna Chusca and vicinity, Companies A, F, H, and I, Mounted Riflemen; Companies B and C, 3rd Infantry.

1858 November 9, Carrizozo, Company F, 3rd Infantry.

1859 January 25, Whetstone Springs, detachment Company D, 1st Dragoons.

1859 February 8, Dog Canyon, Sacramento Mountains, detachment Company D, Mounted Riflemen.

1859 April 27, near Ft. Fillmore, Company D, 1st Dragoons.

1859 November 12-26, various fights with the Pinal Apaches, Company D and detachment Company G, 1st Dragoons; Company A and detachments Companies C and H, Mounted Riflemen.

1859 November 14, Tunica, detachments Companies B, C, E, and G, 3rd Infantry.

1859 December 3, Santa Teresa, detachment Company A, Mounted Riflemen.

1859 December 18, detachment Company A, Mounted Riflemen, at Santa Teresa.³⁸

Notice how the number of skirmishes escalates in the latter years – and the escalation would continue well into the Civil War when it would reach peak proportions. But this list of battles only represents responses to a tiny fragment of the number of atrocities that were committed by marauding Native Americans almost daily. The Memorial of December 28th, 1854, for example, by the New Mexico Council, cited innumerable losses of livestock and property, yet the Federals list only one battle in that year, and it was one that had gone very badly at that.³⁹ At the battle of Cienguilla two companies of the 1st Dragoons were almost wiped out, the survivors barely escaped with their lives. It was the worst defeat at the hands of Native Americans of the decade. This did nothing to promote confidence in the U.S. Army. But throughout the decade a steadily growing problem soon ensured that the Indian problem was not the only issue. Though most Americans felt that by conquering New Mexico the U.S. had inherited its ‘Indian problem,’ no one stopped to think how New Mexicans had received America’s problem – slavery and the Civil War. New Mexicans must have wondered what they had gotten themselves into.

The New Mexicans

Before 1846, Americans who traveled into New Mexico came as people who visit a foreign country. They came with a respect for the customs and language of the inhabitants. They had to treat the New Mexicans as equals, as business partners, neighbors, and sometimes as family. If they wanted to stay, they had to integrate and live with the people that were here.

³⁸ Twitchell, *Leading Facts II*, 300, footnote 225.

³⁹ Keleher, *The Fabulous Frontier*, 9-10, footnote.

Once New Mexico became American, the majority of people who came did so as opportunists; as those taking advantage of ‘new ownership,’ where laws and enforcement were minimal. Some were just running from the law or some other misfortune. Others came to carve out personal financial and land-based empires; while others were soldiers who had been assigned to harsh duty on the frontier. Almost overnight, the native inhabitants found themselves to be second-class citizens in their own country. Only with difficulty did they begin to understand the laws, customs, and speech of the newcomers. Even before the American conquest, it was apparent to leading New Mexicans that the United States would eventually cause a profound influence on the Territory. This prompted more than a little concern among Hispanic New Mexicans who deliberated on how to deal with these problems. “Reportedly in 1841, when he [José Francisco Chaves, future Lt. Colonel of the 1st NM Volunteer Infantry] departed for St. Louis to enter college, his father, Mariano Chaves, said: ‘the heretics are going to overrun the country. Go, learn their language; come back to defend your people.’”⁴⁰

As noted by Keleher in his book “The Fabulous Frontier” the problems faced by New Mexico were entirely unique to that region. “No other state or territory had language or racial difficulties comparable to those with which New Mexico was obliged to contend.” The American occupation had disturbed the everyday affairs of the New Mexicans and now they were faced with new laws and customs. The federal government should have helped lessen condition there but it didn’t.⁴¹ Conversely, Americans did not easily understand the New Mexicans either and continued to keep many misperceptions. They needed to learn about the historical developments that had brought New Mexico into the Union in the first place. General Kearny had invaded the province in 1846, arriving in Santa Fe and raising the flag of the United States in the plaza on August 18. Later that year, resistance against the American invasion broke out in several locations. It was suppressed by U.S. Dragoons and Artillery with the assistance of a company of New Mexico Volunteers, most of which were Americans living in New Mexico. But, surprisingly, at least two of the volunteers were Hispanic New Mexicans. Thus the volunteering of New Mexicans to fight alongside Americans began with at least two men, not in 1861, but early in 1847.

Ceran St. Vrain was commissioned as Captain of a volunteer company known as the “Emergency Brigade” and he quickly recruited sixty five men to enlist. But he specifically talked to two New Mexicans that he wanted, Nicolás Pino and Manuel Chaves. He must have known of their exploits and skills. He offered Chaves an officer’s commission but he only would join as a private. Perhaps he did not want to have any confrontations with the other Americans during their term of service. “Thus, after taking a formal oath of allegiance to the United States,” Marc Simmons writes, “Chaves entered service as a private, and his friend Nicolás Pino followed suit.”⁴²

St. Vrain’s volunteers participated in the three main clashes of the 1847 rebellion. They guarded the supply wagons at the Battle of Santa Cruz de la Cañada, and successfully warded off a large party of rebels who attempted to capture them. A few days later at Embudo Station, they led the U.S. Forces as skirmishers and drove the enemy from the valley on their front. At Taos, they helped surround the Pueblo and guarded against any possible escape by rebels. During one breakout attempt, Ceran St. Vrain was repaid for his trust in Manuel Chaves, when Manuel saved his life from certain death. A Rebel had knocked Ceran off his horse and was about to stab him with a knife when Manuel hit the attacker on the head with his Hawken rifle, rendering him senseless.⁴³ In the same year another company of New Mexican volunteers campaigned against

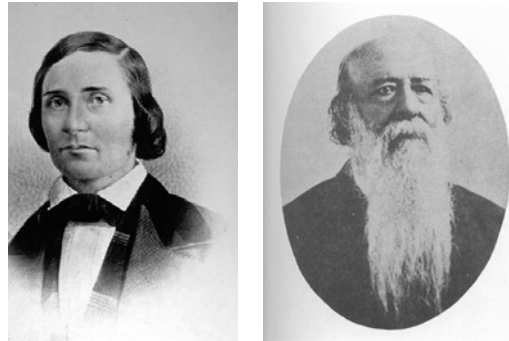
⁴⁰ Ream, *New Mexico’s Past*, 42.

⁴¹ Keleher, *Fabulous Frontier*, 6.

⁴² Simmons, *Little Lion*, 102.

⁴³ Simmons, *Little Lion*, 108.

Apaches under the command of Major Edmundson in May. Then in August a company organized by Captain Ramón Luna from Las Lunas went against the Navajos.⁴⁴



L-R Manuel Chaves, Nicolás Pino

After the Mexican War, the Territory of New Mexico was officially ceded to the United States and there was no longer any question to which country it belonged. Furthermore, New Mexicans were given a choice. “The treaty of Guadalupe-Hidalgo [in 1848] provided that residents could choose: leave New Mexico entirely, or remain by declaring their preference of citizenship – Mexico or the United States.”⁴⁵ About 1,500-2,000 citizens chose to become Mexican and were relocated with aid from the Mexican Government to Chihuahua and southern New Mexico, which was still part of Mexico at the time. The remainder had decided to become Americans, and after that, New Mexicans did not consider themselves to be anything but Americans. But Americans did not think of them the same way – to them, they were still ‘Mexicans’ and were not even considered to be citizens.



José María Chaves

More Militia initiatives followed. In 1848 companies from Taos under Captains Marcial Tafoya and José María Valdéz went out after the Utes and Jicarrilla Apaches in June and July. After that, in the Spring of 1849 three more companies campaigned against the Navajos; guided by Captains John Chapman and Henry L. Dodge of Santa Fe, and Captain A. L. Papin of San Miguel. Two years later, two more battalions were organized against Apaches in 1851-52 and again in 1854. These battalions were commanded by Brigadier Generals José María Chaves and Manuel Herrera. But except for use as auxiliaries and guides, the army was more than reluctant to accept them as equals. Eventually, by 1855, Ute and Comanche depredations forced the U.S. Army to admit that it needed the New Mexico Militia, not just in defense of their own communities, but rather to assist the Regulars on campaign against the hostiles. They had done

⁴⁴ New Mexico Adjutant General Records 1847-1911; <http://elibrary.unm.edu>.

⁴⁵ Ream, *New Mexico's Past*, 56.

so before in smaller capacities as guides, but this time they were considered additional troops. Governor David Meriwether authorized the organization of a battalion of mounted militia.

The volunteers were not to be paid but they would be armed and supplied by the army. The battalion was to be commanded by Ceran St. Vrain. Ten companies were raised; two were posted on the frontier to protect vulnerable towns and four companies were sent on campaign in Colorado. The other four companies probably did garrison or escort duty for the Army. The company captains were Charles Deus of Santa Fe, Miguel E. Pino also of Santa Fe, José María Valdéz from Mora, Antonio María Vigil of Abiquiu, Pedro León Luján also of Abiquiu, William S. Cunningham from Santa Fe, Charles Williams of Taos, Francisco Gonzáles also of Taos, and Manuel A. Chaves from Santa Fe⁴⁶ Manuel Chaves became the captain of Company D, and Rafael Chacón served as the First Sergeant of Company B. Albert Pfeiffer served as a lieutenant. It must be noted here that the volunteers were not all Hispanic. A few were Americans, but in addition, a sizable number of men were Pueblo Indians. The Puebloans had traditionally served as allies and auxiliaries to the Spanish and then to the Mexicans in defense of the province, and they continued this practice into the American period up to and including the Civil War.

Colonel Thomas T. Fauntleroy was commander of the campaign. The base of operations was Fort Massachusetts, a miserable excuse for an outpost in south-central Colorado. It was a difficult time and the weather was bad. Both Chacón and Fauntleroy were taken sick at one point. After many fruitless days on the trail Manuel Chaves' Company D was sent on ahead where they located a Ute camp which they destroyed. After the campaign Fauntleroy commented, "The regular troops and the officers acted with the most admirable decision and promptitude, while the conduct of the volunteers excited my warm approbation."⁴⁷ The campaign was a success and the New Mexicans' abilities were finally recognized by their fellow soldiers in the field as well as by other American observers. W. W. H. Davis wrote:

An evidence of their patriotism and courage came under my observation. In the month of January, 1855, the governor of the Territory called for a battalion of mounted volunteers to assist the regulars in chastising the Indian tribes who were in hostile array, and in a very few days more companies offered their services than could be accepted. They served for a period of six months; and it is the unanimous testimony of the United States officers who were on duty with them, that in all the conflicts with the enemy they exhibited a courage equal to, and power of endurance greater than, the troops of the line. They were ever among the foremost in the fight, and were noted for their good order and discipline; and I am justified in saying that a desire to serve the country sent them into the field, since the greater part of them had nothing to lose from Indian depredations.⁴⁸



William W. Loring

⁴⁶ New Mexico Adjutant General Records 1847-1911; <http://elibrary.unm.edu>.

⁴⁷ Simmons, *Little Lion*, 133.

⁴⁸ Davis, *El Gringo*, 219.

At various intervals the Army continued to call for New Mexico Volunteers, companies were formed, and pressed into service. Usually they were limited to guarding or garrisoning a location, or moving supplies, or to scout ahead.⁴⁹ No one failed to notice that on extended campaign, the New Mexicans rode harder and longer, and engaged the natives ahead of the US troops. Colonel Loring found this out first-hand. In June 1857 “Old Blizzard” was on a campaign with 300 men against the Apaches in the Gila River area. He was guided by Captain Manuel Chaves’ company of spies and guides. At one point, Loring asked Manuel for his advice. Chaves replied that they must travel without stopping for rest or they would not catch the raiders. He asked Loring to allow him to go ahead with his company and he promised to overtake them. Loring realized Manuel’s scouts had much more endurance than his own troopers who were falling asleep in their saddles.⁵⁰

Chaves’ plan worked and the column caught up with and chastised the hostiles. Again, Loring was impressed. Meanwhile another campaign was simultaneously going on southern New Mexico in the area we now call Arizona. Colonel Bonneville at the head of a large force, including elements of the 3rd and 8th Infantries, some companies of Mounted Rifles, and Captain Ewell’s Company G of the 1st Dragoons. Paddy Graydon was in Ewell’s company at this time. This group was assisted by a company of spies and guides under the command of Blas Lucero. His company was a mix of Pueblo Indians and Hispanos. This column was after Apache tribes, including Mogollon, Coyotero, and others.⁵¹

A few years later, the volunteers were needed again. A war caused by the military and the government Indian agents had been going off and on with the Navajos since September 1858 and over three hundred citizens in the area had been killed since then. The military and the Indian agents were pushing the natives too hard in their demands, causing them to go on the warpath. New Mexicans tried to solve the problem on their own. In January 1860 Captain Jesús Velásquez of Conejos took a company out in January and another company of Pueblo Indians from Laguna took the field in June. Then Captain Francisco Leiva of Galisteo also campaigned in August, but it wasn’t enough.⁵² In August of 1860 several people were murdered near Santa Fe and the citizens could stand it no longer. They conducted a meeting in Santa Fe on August 29, 1860, and voted to raise a volunteer battalion.⁵³

A battalion of 450 New Mexicans was quickly raised. Governor Abraham Rencher originally supported the formation of this battalion but the U.S. Secretary of State, Lewis Cass, ordered him to oppose it. One factor that did not help New Mexico’s position in Washington D.C. was that Congressional Representative Miguel Otero had stated that New Mexicans could take care of themselves in regards to Indian depredations. Rencher asked Col. Fauntleroy for support. However, Fauntleroy also was against the battalion and refused to provide them with arms or ammunition. So they went out on their own anyway – an unprecedented event in N.M. history under American rule, which no doubt, alarmed some of the authorities to a great degree. Obviously New Mexicans were tired of American incompetence and apathy, and they had decided to act on their own. Miguel E. Pino was elected Colonel and Manuel Chaves became the second in command as the Lt. Colonel. Chaves directed the companies in the field while Pino administrated the unit. There were six companies in all under Captains Narciso Santisteban from Bernalillo, Andrés Tapia from Santa Fe, Juan N. Gutierrez of San Miguel, J. Francisco Chaves

⁴⁹ Simmons, *Little Lion*, 127.

⁵⁰ Simmons, *Little Lion*, 136-137.

⁵¹ Jerry D. Thompson, *Desert Tiger, and the Civil War in the far Southwest* (University of Texas at El Paso), 1992.

⁵² New Mexico Adjutant General Records 1847-1911; <http://elibrary.unm.edu>.

⁵³ Horn, *New Mexico’s Troubled Years*, 81.

from Peralta, Juan Gallegos of Cañada [Santa Cruz], and Ygnacio Baldéz of Santa Fe.⁵⁴ The men supplied their own rations, clothing, arms, ammunition, and mounts.⁵⁵

The march was very difficult in the winter weather and many mules and horses were lost to exhaustion and a lack of provender. The New Mexicans met the Navajos in a series of sharp engagements and returned in December when food and ammunition gave out. “Navajo hostilities were by no means ended with this foray, but it had been shown that the New Mexicans, acting under their own competent leader and campaigning in a country they knew intimately, could perform as well or better than regular army troops.”⁵⁶ Navajo raids continued that winter and due to another public outcry, Colonel Fauntleroy reluctantly ordered another campaign, this time with both Regulars and Volunteers commanded by Major Edward R. S. Canby. Sibley was on this campaign too. Unlike the previous Volunteer campaign, Canby moved slowly and cautiously and it’s easy to imagine that the hardy Volunteers chafed under his command. “Colonel Canby did not accomplish much other than the destruction of large numbers of cattle and sheep belonging to the Indians, which caused the hostiles to sue for peace and an armistice of twelve months was agreed upon.”⁵⁷

At one point in the campaign, an officer of Volunteers captured a Navajo prisoner and Canby sent a lieutenant to collect him. The New Mexican officer, newly promoted Captain Román Baca (Manuel Chaves’ half-brother), informed the subaltern that Canby should get his own prisoner and he hanged him from a tree rather than turn him over to the commander. And when the lieutenant returned to arrest him, with hands on his weapon, Román stated that he was ready to shoot it out to settle the question. Chaves, who was standing nearby, said, “He means it.” Presumably, the rest of the Volunteers appeared ready to back them up. The lieutenant and Canby backed down. Canby did not understand that the Volunteers who fought in defense of their homes were not normally paid; their only pay was any plunder they could pick up and, to them, prisoners were plunder. It was an ancient practice that could not be swept aside so casually. Even Governor Rencher had promised them they would be able to keep items captured from hostile natives and that included slaves.⁵⁸

These were not the actions of timid or cowardly Volunteers. These were hard men who had thrived on a harsh frontier, and the fact that they were able to intimidate the U.S. Regulars is a significant one. Canby must have felt that the New Mexicans were not entirely controllable, and this incident may have been one that helped him form his opinion that the natives were not capable of looking to the common good. And more than likely, his professional pride had been damaged as well. Therefore it’s more accurate to say that Canby feared and mistrusted the Volunteers, and was not worried about their willingness to fight. He knew they were brave and he knew that they would fight, but in his confused mind, he may have wondered who they would fight. He would not forget the unauthorized campaign and the prisoner incident, which would cloud his judgment in the months to come. He was not alone in his mistrust. Many U.S. officials believed that the New Mexicans exaggerated the Indian problem and clamored for the organization of volunteers and extended campaigns merely to gain plunder and captives, perhaps some did, however, this would have been a completely moot point if the Volunteers on campaign were armed and paid by the government. Ironically, the refusal of the United States authorities to organize, arm, train, and pay New Mexico volunteer companies completely backfired on them, because if they had been doing so, they would have had a ready territorial guard to call up when the Civil War began.

⁵⁴ New Mexico Adjutant General Records 1847-1911; <http://elibrary.unm.edu>.

⁵⁵ Simmons, *Little Lion*, 159.

⁵⁶ Simmons, *Little Lion*, 161.

⁵⁷ Twitchell, *Leading Facts II*, 319-320.

⁵⁸ Simmons, *Little Lion*, 126.

By the time of the American Civil War, New Mexicans volunteering for military service alongside the Regulars was nothing new, and the Regulars knew that. In other parts of the Union, militia units dressed in parade uniforms and performed drills on Sunday afternoons; marched in civic parades, or appeared at patriotic holidays and community picnics. The majority of them were young men who had little or no military experience; and the same for the older men, unless they were veterans of the Mexican War. These militias may have had experience in modern drill, but not in campaigning and fighting. However, in New Mexico, not only were the volunteers anti-Texan to a man, they had been on at least one campaign, and many of them had been on several. Their officers were very experienced, Hispanics and Whites, mountain men, ciboleros (buffalo hunters), comancheros (Indian traders), rancheros, and freighters; men like Ceran St. Vrain, Kit Carson, Miguel Pino, Nicolás Pino, Manuel Chaves, José Francisco Chaves, Santiago (James) Hubbell, William Mortimore, José María Valdez, Rafael Chacón, and many others. They knew their troops, and the lay of the land, and the habits of the hostile natives as well. They were formidable allies, who had often guided, aided, and out-performed the Federals. As W. W. H. Davis wrote, "...in all the conflicts with the enemy they exhibited a courage equal to, and power of endurance greater than, the troops of the line [the Regulars]." If Canby and his officers had but realized it, they were receiving as experienced and campaign-hardened a militia as any other state in the Union. The New Mexican Volunteers entered the Civil War at a complete cultural disadvantage. Yet they proved themselves time and again.

Setting the Stage

As stated before, most Civil War historians tend to 'surgically' remove the events of the Civil War in New Mexico from the bigger picture, namely, that the Civil War in the west was actually a war within a war – the Indian wars. This is a mistake, because using only Civil War sources leads to misperceptions; such as the one that New Mexicans were cowardly. Or that they were unpatriotic because they were slow to join the volunteer army and thus leave their families open to Indian attacks. Another example is that historians point out the "pronounced disloyalty" of the 200 New Mexicans who joined the Confederate army in the Mesilla area. But how pronounced was it? These traitors were mostly transplanted Texans and Mexican renegades, some of them outlaws. Even after what the Texans considered to be a benign occupation, the New Mexicans did not rally to the Southern 'Cause.' Colonel Baylor, Confederate commander at La Mesilla was completely unconvinced of their support. He wrote to Sibley that the 'Mexican' population was definitely pro-Union. "Nothing but a strong force will keep them quiet," and he begged Sibley to send reinforcements."⁵⁹

A few American officers like Colonels Fautleroy and Loring did appreciate the abilities of the volunteers. Loring appreciated them enough to offer Manuel Chaves a commission in the Confederate Army, but Chaves answered that he had sworn an oath to the United States and its flag....so had Loring. He also asked other New Mexicans but none agreed to join.⁶⁰

Another cultural barrier came from the fact that many New Mexicans who were proud and aware of their abilities exhibited a bravado that made many Americans uncomfortable. After all, their country had been stolen, their way of life was disappearing – what else did they have besides their personal pride? They were a 'kept' people and probably felt more like prisoners than Americans. Even the powerful Hispanic families were often made to feel like second class citizens. This is not difficult to imagine, especially since they were still referred to by the authorities as 'Mexicans,' not Americans. Ralph Twitchell, a leading New Mexico historian, laments that New Mexico should have become a state early on and the real character of the

⁵⁹ Twitchell, Leading Facts II, 359, footnote 284.

⁶⁰ Twitchell, Leading Facts II, 360, footnote 285.

natives would have been revealed earlier. But as it turned out, their contribution of volunteers showed their true colors anyway.⁶¹

To the utter surprise of Southerners everywhere, in 1861, Henry Connelly, newly appointed Governor of New Mexico, stated in his opening address before the legislature, “The [slavery] law is not congenial with our history, our feelings or our interests”,⁶² and the law was repealed. Too late, Southern politicians realized that congressional delegate Miguel Otero did not speak for New Mexicans at all. In fact, the only person he had ‘spoken for’ was his new bride, Mary Josephine Blackwood, a native of Charleston, South Carolina. In 1861, after Miguel’s stint in Congress, President Lincoln asked him to become the U.S. minister to Spain, but Miguel declined the offer and went back to New Mexico where he was nominated to become secretary of the Territory. However, this position was not ratified by the Council because of his pro-southern politics. To Otero’s surprise, New Mexico was no place for a Confederate.

Even Governor Rencher attested to that fact. Soon after the surrender of Fort Sumter, he had become concerned when rumors regarding his loyalty began to circulate in Santa Fe as well as in Washington D. C. But there was no reason to worry. Although he was an avowed Southerner, he had taken an oath when he became governor and he stood by it, remaining true to the people of the United States and New Mexico. On April 20th he wrote to William H. Seward, Lincoln’s Secretary of State: “In all the popular meetings which I have noticed, the people express great attachment to the Union, and an earnest desire that it may be preserved...”⁶³

Thus, the character and temperament of New Mexico was not at all as it had initially appeared to the Southern States. Ironically, the abolition of slavery was not a new idea to New Mexicans, such as it was to Americans. It had already been illegal under Mexican rule. The slave laws that had been passed and repealed here had not changed anything for the locals. In their minds, there was no slavery in New Mexico. There was peonage and there were captive Indians but no slaves. And states rights? That argument did not seem to apply either, especially since they lived in a territory and were not even considered citizens. Some of the *Hidalgos* did have feelings for the South but these were stifled by the news of a new Texan invasion. That was enough to make anyone change sides.⁶⁴

Unfortunately for the South, very few people understood how New Mexicans felt about Texans. Even General Sibley didn’t have a clue. When rumors of yet another pending Texan invasion reached the populace, all thoughts of altruistic debates of freedom, slavery, peonage, and state’s rights took a back seat to that one concern. Now it was personal, and for some, it was extremely personal. The news brought the few recalcitrant *Ricos* into line with the sentiments of the majority of the Territory. Now the native Hispanic element either supported the Union, or at least were not openly opposed to it. This left transplanted southern whites as the majority of the pro-Southern, pro-Texan element in the Territory. And although at a disadvantage, they still tried to demonstrate their presence in order to sway or force the opinions of the people towards the South. Thus the actual mobilization for the Civil War in New Mexico began the same way it started in many border and western states, with shows of patriotism to either cause and demonstrations intended to influence the sympathies of the general populace. But events here were not as dramatic as in many places, including Colorado and California. Inauspiciously, the Civil War here in New Mexico began with a very small incident in the village of Taos. Someone took down the American flag in the village square. The entire village was incensed. Kit Carson, St. Vrain, Simpson, and five other men went to the mountains and cut a long pole and brought it back to town. They nailed a new flag onto it and raised it in place of the old one. Carson ordered

⁶¹ Twitchell, *Leading Facts II*, 278.

⁶² Ream, *New Mexico’s Past*, 71.

⁶³ Horn, *New Mexico’s Troubled Years*, 87.

⁶⁴ Twitchell, *Leading Facts II*, 357.

that it would fly night and day and he placed two men at the Bent-St. Vrain Store to keep an eye on it. No one touched it.⁶⁵



Christopher "Kit" Carson

In honor of this incident and under the approval of the United States Congress the flag in Taos traditionally still flies day and night. Prophetically, Kit had 'set the stage' of the development of New Mexico as a northern state, and events followed suit. Except for a lot of tongue-wagging, and the declarations of Texans living in Mesilla, that was pretty much the end of overt Southern demonstrations of loyalty in New Mexico. Although a few natives would join with the Southern forces, the state itself was overwhelmingly Union and its volunteers would fight for that cause. Unlike the U.S. Army, and the rest of America, there would be no 'pronounced disloyalty,' and when it came time to 'ante up,' contrary to prejudiced reports, they would fight toe-to-toe, equal or better than the U.S. Regulars. On May 4th, 1861, General Order No. 15 called for the mustering of 39 companies of New Mexico Volunteers, but it was not until June 16th that Canby was finally awakened from his confusion and indecision by another order from headquarters which required that the U.S. Regular Army troops leave the Territory.

⁶⁵ M. Morgan Estergreen, Kit Carson, a Portrait in Courage (University of Oklahoma Press, 1962), 230.