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New Mexico Historical Review

RARY
AN
UNIVERSITY OF
WASHINGTON

VOLUME 61 JANUARY 1986 NUMBER 1

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field or farm house. "Yes, I *was* busy," recalled sharecropper Ellen Grubbs Reaves. "And if you think I didn't work, you just wasn't there," exclaimed Edna Gholson when she remembered her hard work boarding highway workers to feed her family and pay debts. But perhaps Nona Berry captured the positive feelings that farm women must have often felt, after they had worked long and hard at tasks they could perform skillfully, when she asked, "Did you ever take a fine baking of bread out of the oven and felt like you had done real well?"[55]

During these decades women's work on the farm was essential and crucial for the survival of farm families. Told from documents and from their own oral remembrances, women's history gives a fuller picture than what has been traditionally termed agricultural history. It is proof that agricultural history must give way to a true rural history in which women and men are represented in the full context of their lives on the land.

55. Oral histories of Ellen Grubbs Reaves and Edna Gholson, WLNMW, NMSU; Jensen, "Recovering Her Story."

The New Mexico Archives in 1827

DAVID J. WEBER

Historians and attorneys who have tried to unravel the legal history of New Mexico in the tangled Mexican period have often wondered about the extent to which local judges had access to laws and government directives. Although there were no trained attorneys in New Mexico and the lack of a court of appeals hindered the administration of justice, legal decisions suggest that the isolated and untrained frontier judges had ready access to laws and knew how to apply them.[1] A recently discovered document supports this point of view and also offers us the first clear look at the manner in which the Spanish and Mexican archives in Santa Fe were organized.

When Antonio Narbona was relieved of the governorship of New Mexico in the spring of 1827, he prepared an inventory of the provincial archives for his successor, Manuel Armijo. On May 21, 1827, Narbona transferred control of the archives, together with his inventory, to Armijo. He, in turn, sent a copy of the inventory, dated Santa Fe, May 30, 1827, to the Ministro de Relaciones Interiores y Exteriores in Mexico City. The

David J. Weber is professor of history in Southern Methodist University and chair of the history department. His latest book, *Richard Kern: Expeditionary Artist in the Far Southwest 1848–1853*, was published last year by the University of New Mexico Press.

1. See Malcolm Ebright, "Manuel Martínez's Ditch Dispute: A Study in Mexican Period Custom and Justice," *New Mexico Historical Review*, 54 (January 1979), 21–34; David J. Weber, *The Mexican Frontier, 1821–1846: The American Southwest Under Mexico* (Albuquerque: University of New Mexico Press, 1982), 37–40.

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original has been lost, but the copy has remained in archives in Mexico City until the present day.[2]

Prior to the discovery of this inventory, the best description of the New Mexico archives of the late eighteenth and early nineteenth centuries was the guide that Donaciano Vigil prepared in 1849–1851.[3] Vigil listed individual documents, in what was designed to be an index rather than a simple inventory. In the process of creating this index, however, Vigil and his assistants radically rearranged the archives. They removed documents having to do with lands and land grants, and listed those separately.[4] They also reorganized the remaining 9,938 documents, filing them in rough chronological order. Vigil's index is of considerable value, but in the process of making it he and his associates destroyed the structure of the archives. One could no longer tell how the Spanish and Mexican archives had been arranged when they served as a working archive for bureaucrats. Thus, Henry Beers' contention that the Vigil index is of value "in showing the composition of the Spanish archives before they were divided between the secretary's office and the surveyor general's office," seems to be in error.[5]

A much clearer picture can be gained from studying the long-forgotten 1827 inventory. This document reveals the structure of the archives as government officials knew and used them—before the archives became a repository for historians and attorneys in the American period.

In 1827 the New Mexico archives were arranged in a complicated but logical manner that made them accessible to officials who needed

2. Today, the document is in the Archivo General de la Nación, Ramo de Gobernación, Sección 2.a, 1827–30(1)[1].

3. Donaciano Vigil's "Indice General de todos los documentos del tiempo de los gobiernos de España y de Méjico hasta el año de mil ochosientos cuarenta y seis" is readily available in the microfilm edition of the Spanish Archives of New Mexico (SANM I), reel 10. The actual work of preparing the index was apparently performed by Vigil's son, Antonio B. Vigil, and by Domingo Fernández. Perhaps the earliest inventory of the archives dates from 1715, and is in SANM I, no. 1097. (Marc Simmons to Weber, Cerrillos, New Mexico, September 27, 1984.) Also, indexes to portions of the archives exist (such as the undated and incomplete "Ymbentario de cedulas de S. M. y Vandos de la Capitania Gral y otros Documentos . . . del tiempo del Govierno del Señor Brigadier D.n Pedro Fermin de Mendinueta," which lists forty-one documents [SANM II, r. 10, fr. 613]), but no other listing of the contents of the entire late colonial and early Mexican period archives has come to light.

4. The 1827 inventory provides a general description of each legajo in the archives. Vigil also identifies legajos from time to time, but the numbers on his legajos do not correspond, even remotely, to those in the 1827 inventory. It is possible that the archives were rearranged between 1827 and the time that Vigil did his work, but the arrangement that Vigil described seems certainly that of the post-1848 era when interest in the validity of titles to land became intense.

5. Henry Putney Beers, *Spanish & Mexican Records of the American Southwest* (Tucson: University of Arizona Press, 1979), 10. See, too, Daniel Tyler, *Sources for New Mexican History, 1821–1848* (Santa Fe: Museum of New Mexico Press, 1984), 12.

to consult them. The entire archive comprised 111 *legajos*, or bundles. The first twenty-one bundles contained documents dating from 1603 to 1787.[6] They had no index and were no longer in use. Subsequent legajos were arranged largely according to the originators of the documents. For example, legajos twenty-two through forty-eight contained correspondence and decrees from the late colonial period, much of it with individual commanding generals of the Provincias Internas, of which New Mexico had come to be a part in the last decades of Spain's hegemony over the region. Still other bundles from the colonial period contained correspondence of alcaldes and religious officials. Most of the bundles from number seventy-four to 111 contained documents relating to events following Mexican independence. These, too, were generally grouped in chronological order according to the originator of the document—for example, correspondence received from the Minister of War and Navy, or correspondence received from the alcaldes of Santa Fe or Albuquerque, or correspondence from the governor of New Mexico to the Minister of Justice and Ecclesiastical Affairs. This arrangement was not unlike that which modern archivists imposed on these same archives to prepare them for microfilming.[7]

In addition to filing documents in chronological order according to the originator, Mexican officials separated out frequently consulted documents and kept them in labeled bundles. Examples include: a notebook containing names of foreigners who arrived in New Mexico, correspondence with the American Indian agent, Major Benjamin O'Fallon, and the ongoing efforts of Domingo Fernández to obtain land at Pecos pueblo.[8]

In addition to an orderly arrangement of correspondence to and from government agencies, the archives contained copies of many of the essential laws of the land. Legajo seventy, for example, contained the basic compendium of Spanish law, the *Recopilación de leyes de los Reynos de las Indias*, in four volumes. Legajos seventy-five and seventy-six contained the acts of the Spanish Cortes of 1812, many of which continued to apply in New Mexico in the first years after Mexican independence from Spain. Two other legajos, eighty-seven and eighty-eight, contained issues of the Mexico City newspaper, *El Sol*, and legajo 107 contained copies of the official government newspapers, or *gacetas*,

6. The earliest document remaining in the Spanish Archives of New Mexico today is dated January 9, 1621. Myra Ellen Jenkins, ed., *Guide to the Microfilm of the Spanish Archives of New Mexico, 1621–1821* (Santa Fe: State of New Mexico Records Center, 1967), 7. Vigil's index identified the earliest document as 1681.

7. Jenkins, *Guide to Mexican Archives*, 11–15.

8. For Benjamin O'Fallon, see John W. Steiger, "Benjamin O'Fallon," in LeRoy R. Hafen, ed., *The Mountain Men and the Fur Trade of the Far West* (10 vols., Glendale, California: Arthur H. Clark Company, 1968), 5: 255–81. For Domingo Fernández, see G. Emlen Hall, *Four Leagues of Pecos: A Legal History of the Pecos Grant, 1800–1933* (Albuquerque: University of New Mexico Press, 1984).

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which printed legislation and government decrees. Another legajo, number 103, contained four notebooks filled with decrees from the current administration, that of Guadalupe Victoria. Still another legajo, number 105, contained the Spanish Constitution of 1812, the Mexican Constitution of 1824, and even a copy of the Constitution of the United States of America.

Thus, it seems clear that government officials had ready access to the major laws of Spain and Mexico and to ongoing directives from government ministries in Mexico City. Frequently consulted laws and regulations were clearly labeled. The index to legajo 105 referred to laws concerning the responsibility of public employees and tariff schedules, and to instructions for the election of representatives to Congress. Although the archives in 1827 lacked a detailed index (as they still do today) and locating individual documents required effort, and although documents were doubtless misplaced on occasion, as was the case with a controversial order of 1824 that prohibited Anglo Americans from trapping in New Mexico, the archives appear to have been in good order.[9] If the Santa Fe trader, Josiah Gregg, was correct when he wrote in the early 1840s that "in judicial proceedings [in New Mexico] . . . little, or rather no attention is paid to any code of laws," it was probably not for lack of access to the laws themselves.[10]

A transcription of the 1827 inventory follows. Scholars may find it of interest for a variety of reasons. New Mexico state archivist Richard Salazar, for example, has noted that the inventory gives meaning, for the first time, to the legajo numbers that remain on many of the documents.[11] Those interested in the cartography of New Mexico may be surprised to see that the one map listed on the inventory in 1827 (legajo seventy-three) is by Bernardo de Miera y Pacheco. Miera's maps, drawn a half century or so before, apparently had not yet been superseded.[12] The inventory also suggests as many questions as it answers. Why, for example, does legajo 105, which contains copies of the constitutions of

9. David J. Weber, *The Taos Trappers: The Fur Trade in the Far Southwest, 1540–1846* (Norman: University of Oklahoma Press, 1971), 90, 129–30.

10. Josiah Gregg, *Commerce of the Prairies*, ed. Max L. Moorhead (Norman: University of Oklahoma Press, 1954), 164.

11. J. Richard Salazar, Chief of Archival Services, State of New Mexico, State Records Center and Archives, Santa Fe, October 25, 1984, to David J. Weber: "I have always wondered what the *legajo* numbers on some of the documents meant. Now I know."

12. Miera made a number of maps of New Mexico, beginning with an ambitious map of 1758. His best known map was prepared in 1779. See John L. Kessell, *Kiva, Cross, and Crown: The Pecos Indians and New Mexico, 1540–1840* (Washington, D.C.: National Park Service, 1979), 507–12, and Eleanor B. Adams and Fray Angelico Chavez, *The Missions of New Mexico, 1776: A Description by Fray Francisco Atanasio Domínguez* (Albuquerque: University of New Mexico Press, 1956), 2–4.

three nations, also contain the regulations for the town council of Santiago Papasquiaro, a municipality in Durango? Did the Santa Fe council utilize regulations of another town until it could draw up its own?

The 1827 inventory appears here in original Spanish rather than in translation, because scholars who utilize the archives will read Spanish. The transcription is faithful to the original, except that a vertical line has not been placed over abbreviations, such as "exmo." or "dhos.," as was the custom of the day. Abbreviated words have been spelled out in square brackets on the first occasion of their use, and correct spellings of words in square brackets that might not be readily recognizable to those unfamiliar with nineteenth-century frontier Spanish have been supplied. Spelling in this document not only differs from today's standardized forms, but is inconsistent within the document itself. The word that we spell today as "cabecera," for example, is spelled phonetically in two other ways in the inventory: "cabesera" and "cavezera." The scribe who copied this document also disdained the use of accents and utilized the upper and lower case inconsistently. Accents have not been supplied where none were present, and the inconsistencies have been preserved.[13]

[The Inventory]

Entrega que hace el Sor D. Antonio Narbona del archivo politico del Territorio del Nuevo Mexico al Teniente de Milicia activa D. Manuel Armijo en virtud de orden del Exmo. Sor Presidente de la Republica, comunicada por el Exmo. Sor. Secretario de Estado de Relaciones Ynteriores y esteriores en 3 de Abril ultimo.

Numeros.

Desde 1 a 21——Primeramente veinte y un legajos de papeles delos Gobernadores desde el año de 1603 hasta el de 1787 estos no manifiestan Yndice que exprese los Documentos que encierran desde aquel tiempo.

22, 23, y 24——Tres legajos dos q.e contienen correspondienca [sic] de oficio con el Sor Comandante general, por el Sor. D. Fernando de la Concha, y consta por el indice que se contiene en un quaderno agregado a dhos [dichos] legajos; y otro de Reales Ordenes.

25, 26, y 27——Dos dichos que contienen la correspondiencia de oficio con el Sor Comandante general por el Sor D. Fernando Chacon, y otro de la Visita general pasada por el mismo, equivocadamente se puso

13. José Martín Aranda assisted in the preparation of the transcription.

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asi en la entrega de mi anterior, siendo dha [dicha] Visita hecha por el Sor Concha.

28——Un Ydem. [idem] que contiene la correspondiencia con la audiencia del distrito, Sagrada Mitra y varios Yndividuos de Nueva Viscaya del tiempo de D. Fernando de la Concha, y D. Fernando Chacon.

29, 30, y 31——Tres legajos que contienen correspondiencia de oficio con el Sor. Comandante Gral por D. Joaquin del Real Alencaster

32——Visita general pasada por el mismo Sor. Real.

33——Causas y prosesos del tpo. [tiempo] de dho. Sor. Real.

34 hta. [hasta] 48——Quince legajos que contienen la correspondiencia de oficio con el Señor comandante gral. desde 808 hasta fin de 822.

49——Un legajo que contiene la correspondiencia de oficio con los Exmos. Señores Ministros de la Capital de Mexico desde 821 hasta fin de 822.

50——Un Ydem que contiene la correspondiencia con varios Yndividuos de Nueva Viscaya, y junta preparatoria de Durango.

51 hta. 67——Diez y siete legajos de aquartilla dela correspondiencia seguida conlos Alcaldes y Ayuntamientos, Padre custodio y Religiosos de esta Provincia.

68——Contiene la correspondiencia con la audiencia de distrito y Virrey que fue de Mexico.

69——Encierra varios Prosesos [procesos].

70——Quatro Libros dela Recopilacion de Leyes Yndias.

71 y 72——Diligencias chanzeladas [canceladas].

73——Un Mapa dedicado por D. Bernardo Mier.

74——Correspondiencia con el Sor comandte. gral. que comienza desde 1.° de Enero de 823.

75 y 76——Dos legajos de actas y diarios de cortes.

77——Reales ordenes y Bandos, se reunio al n.° 24.

78——Cinco quadernos [cuadernos] Borradores de oficios dela comandancia general.

79——Tres legajos que comprehenden [sic] la correspondiencia de oficio con el Exmo. Sor Ministro de la 1.ª Secretaria desde Febrero de 823 q.e entrego D. Bm. [Bartolomé] Baca.

80——Un legajo que comprehende la correspondiencia de dho. Ministerio recibida desde Sbre. [setiembre] 825 hasta concluir dho año.

81——Un legajo con sus correspondientes carpetas que encierran la correspondiencia dirigida por el Exmo Sor Ministro de Justicia y negocios Eccos. [Eclesiásticos] desde Marzo de 823 hasta fin de 825.

82——Un id [idem] con sus correspondientes carpetas que encierra correspondiencia resibida [recibida] del Exmo Sor Ministro de Guerra y Marina desde Marzo de 823 hasta fin de 825.

83——Un id que comprehende la correspondiencia de 824, seguida con los Alcaldes, y Ayuntamientos de la Provincia, custodio[,] Ministros[,] gefe [jefe] Militar[,] circulares del gobierno Supremo y de este.

84——Tres legajos que encierran la correspondiencia del Exmo. Sor. Ministro de Hacienda desde Marzo de 823 hasta concluir el año de 825.

85——Un Yd que comprehende la correspondiencia de varios Estados de la Federacion.

86——Un Yd. de instancias hechas a este gobierno por varios Yndividuos [individuos] del territorio.

87 y 88——Dos id de gazetas y periodicos del Sol.

89——Un id que contiene correspondiencia con el comandante Anglo Americano Benjamin Offallen [O'Fallon] y varias ordenes y decretos sacados de sus correspondientes carpetas para tenerlas a la vista.

90——Un id. que comprehende tres carpetas de contestaciones havidas [habidas] en los ultimos tres meses de 824 con varios congresos de los Estados, comisario gral. de Mexico, el de Chiguagua [Chihuahua], y Supremo Tribunal de guerra y Marina.

91——Correspondiencia a la Alcaldia de la Cañada, y las q.e le reconosen [reconocen] por cabesera [cabecera] del año de 1826.

92——Yd. de Alburquerque, y las que le reconosen por cavezera [cabecera] correspondiente al mismo año.

93——Yd. de Santa Fee y las que le reconosen por cavezera correspondiente a id.

94——Correspondiencia desde el año de 826 con el custodio y Ministros, Vicario, Sor Diputado Abr [eu], Juan Vijil y Alarid, circulares, comisionado y consul del Norte America, y Exma Diputacion.

95——Correspondiencia en todo el año de 826 con el Exmo. Sor. Ministro de Relaciones interiores y esteriores [exteriores].

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96——Yd. en id con el Exmo Sor Ministro de Hacienda.

97——Yd en id con el Exmo Sor. Ministro de Justicia.

98——Encierra contestaciones havidas en dicho año con el Exmo. Sor Presidente de la Republica, Estados de la Federacion, y varios particulares.

99——Correspondiencia desde Enero hasta Abril de 827 con el Ministerio de Relaciones.

100——Yd. desde id hasta id del Exmo Sor Ministro de Hacienda.

101——Yd desde id hasta id con el Ministerio de Justicia.

102——Contestaciones havidas con el Exmo. Sor. Presidente de la Republica, Estados de la Federacion, y particulares.

103——Quatro [Cuatro] cuadernos de Decretos de este gobierno.

104——Cuenta del intervencion de la Cañada, sobre contribucion, representacion de Fernandes sobre lo de pecos [Pecos], y un cuaderno en que se apuntan los Estrangeros [extranjeros] que arriban a este territorio.

105——Un legajo que encierra la constitucion Española, id Mexicana, id del Norte America, acta constitutiva, papeles para Elecion [sic] de Diputados, Decreto sobre responsavilidad [responsabilidad] de empleados, dos Aranzeles [Aranceles], un Quaderno de Decretos y ordenes del 2.° congreso, Aranzel interino para Aduana, Ordenanzas para el Ayuntamiento de Santiago Papasquiaro, y Decreto sobre compañias.

106——Papeles para tener a la Vista.

107——Un Legajo de gacetas del Supremo gobierno dela Federacion.

108——Sobre la mesa veinte y tres carpetas que abrasan las contestaciones que desde Enero del presente año hasta la fha [fecha] se han seguido con los Ayuntamientos de este Territorio, Exmo Diputacion, Sor Comisario Substituto, Licenciado Escudero, y Reverendos Ministros.

109——Borrador de Estadistica remitida al Supremo gobierno.

110——Asuntos pendientes enlos cuales no ha recaido resolucion por la inmediata entrega q.e tiene que aserse [hacerse].

111——Sobre la mesa la correspondiencia resibida [recibida] de los Ministerios el 13 del corriente la cual queda circulada y deve [debe] ser contestada por el nuevo gefe Politico.

Trese [Trece] quadernillos [cuadernillos] de papel,
Santa Fee Mayo 21 de 1827
Resivi [Recibi] = = = Manuel Armijo
Entregue = = = Antonio Narbona

Es copia Santa Fee 30 de Mayo 1827
Armijo [rubric]

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