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Santa Fe Weekly Gazette, 11-29-1856

William E. Jones

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Santa Fe Weekly Gazette.

VOLUME V.]

SANTA FE, NEW MEXICO, NOVEMBER 29, 1856.

[NUMBER 43

TERMS.

WEEKLY—\$2 50 a year, payable invariably in advance; single copies 12 1/2 cents. Advertising, \$1 00 per square of ten lines for the first insertion, and 50 cts. for every subsequent insertion.

W. H. Chick
WALKER AND CHICK,
Commission Merchants, Kansas Mo.
REFER TO
Col. Robert Campbell, Missouri, Riley & Christy
St. Louis Mo. St. Louis Mo.
Santa Fe New Mexico October 7, 1854—57.

BEARNEY AND BERNARD.
General and established Westport of account
Will keep constantly on hand a variety of merchandise of all descriptions adapted to the California and Santa Fe trade. Persons going across the plains would do well to bring their goods. Will also have on hand Wagon, Oxen and other necessities in abundance for sale. All orders from reliable sources promptly attended to.
SANTA FE, NEW MEXICO, Oct 7, 1854—57.

STAGE LINE.
Independence Mo., to Santa Fe N.M.
Leaving each end of the route the first day of each month.
Fare through.
From November 1st to May 1st \$150
From May 1st to November 1st \$125
Packages and extra baggage 35 cents per lb. in summer and 50 cents in winter. But no package charged less than one dollar. All baggage at the risk of the owner, and no responsibility for any package worth over fifty dollars unless unpacked, given and specially contracted for.
Provisions, arms, and ammunition furnished by the proprietors. All baggage must be paid in advance.
HOCKADAY & HALL.
November 3, 1856.

G. L. GRUBER'S
APOTHECARY & DRUG STORE.
PLAZA MADRID STREET, SANTA FE N. M.
Orders and prescriptions especially and promptly executed.

ROCKADAY & HALL.
November 3, 1856.

G. L. GRUBER'S
APOTHECARY & DRUG STORE.
PLAZA MADRID STREET, SANTA FE N. M.
Orders and prescriptions especially and promptly executed.

NOTICE TO THE INHABITANTS OF NEW MEXICO.

The Surveyor-General of New Mexico, by act of Congress approved on the 22nd July 1851, is required to "make a full report on all valid claims originated before the 31st of July 1851, in the Territory of New Mexico, by the Treaty of Guadalupe Hidalgo of 1848, showing the various grades of title with their decision thereon as to the validity or invalidity of each of the same, under the respective acts and systems of the country before this report to the United States." And he is also required to make a report in regard to all parties existing in the Territory showing the extent and locality of each, stating the number of inhabitants in the said Pienho respectively, and the nature of their titles to the land. Such report to be made according to the form which may be presented by the Secretary of the Interior which shall be filed before the 31st of August for each year, and the same shall be made up and proper with views to conform to the rights and laws of the United States, and the Treaty of 1848, between the United States and Mexico.

Claimants in every case will be required to file a written statement setting forth the nature of the present of land, "in case of original claims"—the law of origin, whether the title is perfect or defective, what authority the original title was derived from, and a reference to the evidence of the power and authority under which the grant of the land was made, and a full and correct statement of all other claims existing in any, with reference to the documents, and the title being relied upon to establish the claim, and to show a transfer of right from the original grantee to the present claimant.

TO DONATION CLAIMANTS.
The act of Congress, above referred to, grant 100 acres of land to every white male citizen of the United States, or every white male above the age of 21 years, who has declared his intention to become a citizen, now residing in New Mexico, and who was so residing prior to 1st January 1850, and to every white male citizen of the United States, and to every white male above the age of 21 years who has declared his intention to become a citizen, who is residing in the Territory on the 1st January 1853, and who shall reside in and settle there at any time prior to the 1st January 1856. No claim to any such donation is valid unless the land on which is settled on, and cultivated, for four successive years; and to such donation claim is allowed to interfere in any manner with any claim recognized by the Treaty of Guadalupe Hidalgo.

All individuals claiming the benefit of such donation will find it to their interest to give the most complete information to the Surveyor-General as to the localities of their settlements, in order to enable him to direct his surveying operations accordingly. The localities in each county shall be described as distinctly as possible in reference to any and all notable objects in the vicinity.
Given under my hand and the seal of the Surveyor-General of New Mexico,
Santa Fe, 14th day of Jan. A. D. 1856.
WILLIAM PELHAM,
Surveyor-General of New Mexico.
Santa Fe, Jan. 27, 1856—1854.

NOTICE.
All persons indebted to the late L. W. Fitzwater, are requested to make immediate payment, and all persons having claims against the estate of the deceased will present them for payment, on or before the fourteenth day of May 1857, or be forever barred from payment.
C. B. CLARK,
Administrator.

ABURQUEQUE, N. M.
May 12th, 1856.—G. M.

NOTICE.
All persons having claims against said estate are requested to present them on or before that day, or they will be forever barred.
RICHARD OWENS,
Administrator.

Surveyor General's Office Santa Fe New Mexico, October 19 1854.

Notice is hereby given that the court of the Surveyor General of New Mexico, will be opened on the 1st day of December next, for receiving the testimony presented by claimants, and for the investigation of the below named cases, and will continue from day to day until said cases are disposed of.
1 Manual Alvarez, claim to Oatá.
2 Town of Teacota, San Miguel county.
3 Town of Las Vegas,
4 Town of Caballeros, Valencia county.
5 Town of Casa Colorado, "
6 Town of Cabero, Valencia county.
7 Mary V. Alexander, present claimant Taos county.
8 Charles Brabbin, do do
9 Alex. Lee Valle, San Miguel county.
10 Guadalupe Miranda, seven claims, Doña Ana county.
11 Antonio Leroux, present claimant, Taos county.
12 J. M. Cano, mine Santa Fe county.
13 Pablo Montoya, present claimant, Taos county.
14 J. mas Cabata de Baca, Vega Grande, San Miguel county.
15 Hugh Stephenson, of Doña Ana county.
16 B. Schowick & Koenig, present claimants, Santa Fe county.
17 E. W. Eaton, San Cristobal, Santa Fe county.
18 Don Joaquin Vigil, San Trigo, San Miguel county.
19 Antonio Vigil, Rio Arriba county.
20 Antonio Gomez, Resguardo de las Pinos, Doña Ana county.
21 Henry Chisholm, Oficial Santa Fe county.
22 Juan Francisco Pinado, Taos county.
23 Eusebio Martinez et al mine of Dolores, Santa Fe county.
24 Maria Delgado, Cañada de Los Altos, Santa Fe county.
25 Antonio Nambel, Arroyo Negro.
26 Antonio Delgado, Terreros, Santa Fe county.
27 Juana Calzadilla de Baca—Ojo del Espiritu Santo, Santa Ana county.

Persons having claims conflicting with those above mentioned will present them at the office of the Surveyor General by or before the twentieth day of November next, in case they desire to contest the same. Witnesses, when required, will be presented by the claimants themselves or their attorneys.

It is particularly enjoined upon attorneys who are engaged in any of the above cases or any which may be presented by parties before the time last above specified, that their notices, briefs, &c. be complete in order to prevent delays when the cases are up for trial.

WILLIAM PELHAM,
Surveyor General of N. M.
12th Nov.

NOTICE.
Notice is hereby given, that letters of administration on the estate of Manuel Alvarez, deceased, late of Santa Fe county, Territory of New Mexico, were granted to the undersigned, by the judge of the probate court of said county, bearing date twelfth of July, eighteen hundred and fifty six. All persons having claims against said estate are required to exhibit them for allowance, to the undersigned, within one year after the date of said letters, or they may be precluded from any benefit of said estate; and if such claims be not exhibited within three years from the date of said letters, they shall be forever barred.
J. & H. MERCER,
Administrators of the estate of Manuel Alvarez, deceased.
Santa Fe, N. M., July 23, 1856.

NOTICE.
Notice is hereby given that on Wednesday the 12th day of November 1856 at the Mesilla in Doña Ana county there will be a distribution of the funds on hand between the creditors of the estate of Thomas Biggs, deceased who have had their claims allowed by the probate court, and all claims not allowed nor presented will be postponed until further assets are collected.
HENRY CUNIFFE,
Administrator.

NOTICE.
Notice is hereby given, that letters of administration on the estate of Damaso Lopez, deceased, late of Santa Fe county, Territory of New Mexico, were granted to the undersigned, by the judge of the probate court of said county, bearing date fourth of August 1856. All persons having claims against said estate are required to exhibit them for allowance to the undersigned, within one year after the date of said letters, or they may be precluded from any benefit of said estate; and if such claims be not exhibited within three years from the date of said letters, they shall be forever barred.
ANASTACIO SANDOVAL,
Administrator of the estate of Damaso Lopez, deceased.
Santa Fe, N. M., August 4th, 1856.

JOHN S. WATTS,
ATTORNEY AT LAW,
Office in the house of Don Juan Solly first door south of Henry O'Neil's store.

FINAL SETTLEMENT.
Notice is hereby given that a final settlement of the estate of John Finnegan, deceased, will be applied for on Monday the 10th day of January, A. D. 1857, that being the first Monday in said month.
All persons having claims against said estate are requested to present them on or before that day, or they will be forever barred.
RICHARD OWENS,
Administrator.

NOTICE.

Notice is hereby given that letters of administration on the estate of Charles Brabbin, deceased, late of Santa Fe county, Territory of New Mexico, were granted to the undersigned, by the Judge of the Probate Court of said county, bearing date 10th November 1856. All persons having claims against said estate are required to exhibit them for allowance to the undersigned, within one year after the date of said letters, or they may be precluded from any benefit of said estate; and if such claims be not exhibited within three years from the date of said letters, they shall be forever barred.
Santa Fe Nov. 20th 1856
CHARLES LEROUGE,
Administrator.

(Written for the Santa Fe Gazette.)
THE MOUNTAIN-LAKE LEGEND.
By
Chap. 8.

When our cavalier found himself alone in his room, his mind turned with a thousand reflections on the strange and miscellaneous incidents of his life. Although he had convinced Dr. Swift that his total ignorance of the world's history and progress subsequent to the year 1700 was owing to the effects of the poison upon his brain, yet he could not shut out the truth from himself. He could not be mistaken as to his having arrived in Santa Fe in the year 1692. He opened his shirt-bosom and eyed upon the scar of an Indian arrow which he had received in his breast in a hard fought battle which resulted in the capture of Santa Fe. This scar said he, was made by an arrow sped from the strong bow of that brave Indian chief who in 1792 when the last struggle for Santa Fe was made, and it was finally recaptured. When this noble chief saw all his braves sent to the spirit land by Spanish prowess, fanned and raved in his desperation till his neck veins swelled and his heart strings cracked, and without having received a wound, fell dead upon his cherished native soil. This war and my vivid and distinct recollections of that fierce and bloody contest assure me that I lived in those eventful days. Through what scenes must I have passed while two centuries have obliviously rolled over me, leaving me the same identical being that I was when I stretched my weary limbs upon the bosom of the Mountain-Lake and slept, while all my contemporaries one by one have dropt into the tomb and the world has been progressing in its onward career making a history of which I am profoundly ignorant. How that long lapse of years have stolen over me making so wide a gap of unrecollection existence in my life, must forever to me remain a marvel. Within me rages a burning desire to know how that long gap has been filled up, and as I have been assured that its history is recorded I cannot repress my deep anxiety to enter upon its study.

While thus soliloquizing, he cast his eyes toward a small table upon which he discovered a pamphlet, which taking up he found to be entitled: "A treatise on Railroads in general, and on the Great Atlantic and Pacific Railroad in particular." No greater treasure could have fallen into his hands since the conversation in the Sanctum had turned upon railroads and he had an engagement with Dr. Swift to visit one that evening at 4 o'clock. So he seated himself and commenced its perusal. The treatise contained a graphic description of the locomotive, with splendidly engraved cuts of the same, with full and clear explanations of its *modus operandi* and of every thing pertaining to it. The power of steam as a motive power, and the mode of applying it was also fully illustrated. The plan of a railroad with drawings of the same so accurately delineated that there was no difficulty in comprehending it. Then followed a short account of the first railroad ever constructed, together with a history of railroads in general, giving their costs of construction, their length in miles and other interesting details connected therewith. Having treated of the above subjects the treatise closed with the following dissertation on the Great Atlantic and Pacific Railroad "This stupendous and master work of the world far surpassing in utility and in its beneficial results to mankind all others known either to antiquity or modern times, requires from us a more extended and elaborate notice.

The importance of connecting the waters of the Atlantic with those of the Pacific ocean by means of a railroad at a very early period in the history of railroads, attracted the attention of scientific and commercial men in the United States. But the railroad fever was confined for many years to the construction of them in the States on the east of the Rocky Mountains. About the years 1845 and 1850, the subject of constructing the Atlantic and Pacific Railroad began to be discussed in Congress, in the public press and among the people. Large additions of territory were in the meantime made to our possessions on the Pacific, which on account of their teeming with gold drew such immense emigrations to them, that in less than five years we had one State and two organized Territories west of the Rocky mountains. To

reach this distant possession it was necessary to take water passage by the isthmus of Panama, or to traverse the whole continent over wide extended plains and rugged mountains, by means of slow mule or pack trains, occupying from three to five months. To carry on commerce with the East Indies our vessels had to double Cape Horn, or the Cape of Good Hope. All these considerations were brought to bear with such force and power upon the subject that in a short time the people considered the construction of the road as a work of political and commercial necessity. Through the agency of the government of the United States the surveys of several routes, commencing at different latitudes were made across the continent, and each route showed that it was practicable.

The highest estimate of the cost of the construction of the road along any of the surveyed routes amounted to one hundred and seventy millions of dollars, while the lowest estimate amounted to about seventy. The highest estimate of distances was ten thousand six hundred and thirty-two miles for the longest route and sixteen hundred and eighteen miles for the shortest. In this way about the years 1845 and 1850 the people had laid before them the whole subject in an intelligible and tangible form. It now became an established fact that the road could and would be built. But by whom? By the government or by private enterprise? This question agitated the public mind, and was discussed in Congress and the public press. Those who insisted upon the government undertaking its construction contended that it was a great national road, necessary for the transportation of the mails and munitions of war, and that it fell within the provisions of the constitution.

It was also insisted that it would constitute a source of immense revenue, thereby reducing the tariff and making the burdens of government light upon the people. Those who opposed, contended that it would be creating a monopolous government monopoly, creating a system of dependencies upon it by virtue of the immense patronage that it would wield, that in the course of time it would swallow up the rights of the States and the liberties of the people. That such monopolies were inconsistent with the genius of our free institutions and at war with the constitution. That a greater length of railroads had already been constructed in the United States without the aid of government than the contemplated road across the continent would be. That private enterprise properly directed was fully adequate to the task of its construction. Should the government attempt to build it, it would be retarded and probably never commenced. Politicians would seize hold of it for the purpose of gaining place and power, and the different sections of the Union would never agree to the location of its route. It would be reserved and used for the purpose of carrying four or five presidential elections. Those and many more arguments were urged on both sides, and the public press joined in with the one or the other party, just as they sided with them. In the midst of this excited discussion a small pamphlet was published, which proposed the most feasible plan of building the road. It set out by showing that according to the estimated cost of the construction of the Atlantic and Pacific Railroad, that five times as much capital had at that time been invested in railroads already completed, as would be required to build the contemplated road. It proposed that each railroad company throughout the country should through their stock holders, elect or choose one or two delegates to a general railroad convention which should meet at some designated time and place, employing such delegates to pledge or hypothecate their respective railroads for the purpose of raising a loan of money sufficient to construct the Atlantic and Pacific Railroad. It demonstrated, that in this way the necessary means for its construction could be raised not only without detriment to the companies, but would more to their actual benefit. The appearance of this pamphlet, produced on the public a considerable impression, inasmuch as it directed public attention to a source amply sufficient if it could be made available to accomplish this great work. The public press took up the scheme and demonstrated that if all the railroad property in the United States could be so pledged more than three hundred millions of dollars could be raised if required upon terms the most advantageous.

That such railroad company would according to the value of their respective railroad property become stockholders in this great road. That the bonds based upon such security as all the railroads in the country, and likewise upon the Atlantic and Pacific Railroad as fast as completed would not only meet with a ready sale but be sought after by the capitalists of the world. That the government itself for the carrying of the mails and for military transportations would have to pay millions of dollars annually, which added to the vast profits that would otherwise arise that the road would redeem all the outstanding indebtedness incurred in its construction even before it would fall due. That holders of the bonds even after they fell due would be both to have them paid and cancelled inasmuch as they could not make so good and secure an investment of their capital in any other way. On the first day of May 1857, a general railroad convention assembled in the city of Baltimore, in which nearly every railroad company in the United States was represented by delegates fully authorized and empowered to pledge the railroad property of their respective companies and to perform all other acts necessary to the undertaking and building the great Atlantic and Pacific railroad. In pursuance of the views of the pamphlet all the railroad property represented in the convention was pledged to raise the loan required to build the road. A president and twenty directors were chosen to negotiate the bonds, and superintend the selection of the most practical route, and to provide for the construction of the road. In less than three months one hundred millions of dollars was procured, and by the beginning of the year 1858, the route had been selected and one thousand miles of the road had been put under contract, for grading, to two hundred contractors, of five miles each. The work was pushed forward, with great energy and in the course of one year each contractor had completed his five miles contract—which made one thousand miles of the road ready for the rails. At the beginning of the year 1859 it was estimated that the portion of the road completed was worth three times the amount of money expended in its construction. So the balance yet to be constructed became a matter of easy accomplishment. In two years more the great work was completed. The two oceans were united in commercial warfare by bars of iron. The three continents, Europe, Asia and America, were brought into commercial proximity. The whole world was aroused. Agriculture, commerce, and the mechanical arts received a new impulse. The vast prairies and the mountain valleys that had hitherto been deserts, were filled with inhabitants, and the precious and useful metals were taken from the bowels of the mountains; cities, towns and villages sprang up as by magic, and all classes of mankind felt the ameliorating influences which the opening up of this iron highway from ocean to ocean through the very heart of a great continent, abounding in millions of square miles of rich and fertile lands capable of clothing and feeding the whole human race, had produced. As the treatise closed, our cavalier exclaimed, if indeed this be the year 1850, and if this treatise be true how wonderful have been the discoveries and what vast strides the world has made in improvements, since the year 1692!! That a heated vapor should constitute the great motive power by which the wheels of commerce are pushed over vast, unbounded plains and into the very heart of the mountain region, fills the mind with admiration and astonishment!!

How strange, how marvellous, and how miraculous are the workings of the star of my destiny, to cast me over the long gap of years forever gone from a past age into the full blaze of the present century!!

How but here our cavalier's voice was drowned by the unshrilly sound of that Chinese barbarity—the gong—Sar, Din, now will soon be ready, date de fous gong, said the same African servant who had made a like announcement in the morning. And so we will leave our cavalier to prepare for dinner, and introduce him again in the succeeding chapter.

(Continued next week.)
Further from Mexico.

The Vera Cruz Program, of the 22nd inst., says that the priestly authorities of the capital, issued a pastoral letter, exhorting to non-compliance with the law of demeritization, forbidding ecclesiastical actions, and directing priests to preach against it. The statement, however, is denied.

The work of constructing a railroad from Mexico to Guahaya was about to be commenced under favorable auspices. According to one of the papers of the capital up to the 24th ult., 30,330 adjunctions of prospectors in mountains had been made. The product of these was \$4,061,000, and the quit-rent redeemed amounted to \$1,356, of the value of \$6,075,000.

The Comandante of this city is spoken of in Mexico with something more than suspicion, as an origin of the most popular partisans of Santa Ana, Iluro y Camarita, and the opponents of liberal ideas and progress generally.

There had been a report of an attempt on the life of Senator Canabuit; but the *Heraldo* not only denies it, but ridicules the idea of the probability of such an act. The following letter, from a correspondent in the capital, will be perused with interest, and may be relied on as from a well-informed source.
Mexico August 10, 1856.
Believing that the readers of the *Pionero* will be glad to be kept informed of what is passing in this Republic, as it will cause me (Continued on fourth page.)

RELIGIOUS DISCUSSION.

It will be seen that the Spanish side of this and the preceding number of our paper, have been devoted entirely to the communication of the Rev. Damaso Paladri, written in answer to several articles that appeared previously over the signature of Santistevan.

After the adjournment of the club Col. Grayson invited the company to partake of an elegant collation, whence they again assembled in the parlor, and closed the evening with the merry dances, in which gay and happy voices seemed to respond to the soul stirring notes of the violin and guitar.

LEGISLATIVE ASSEMBLY.

This body convenes on Monday morning next, to commence their annual legislative duties. We understand that most of the members are new recruits, who will perhaps move a little awkwardly at first, till they get accustomed to the harness, but this will wear off by practice, and we hope they will accomplish much good before the close of the session.

In the Council the old members still hold their seats, as they were elected for two years. We shall speak of the proceedings of the body, from time to time, as occasion may demand, and may take the liberty to recommend to their consideration such measures as we may deem important to the interests of the Territory.

Among the most important duties arising in the organization of the two branches of the Assembly is the selection of competent persons for the position of chief clerks.

It is these officers are competent and conversant with the duties devolving upon them, it will add much to the despatch of business, as well as to the dignity of the proceedings, and more than this it will furnish an intelligent and reliable record for future reference.

ARRIVAL OF THE MAILS.

Our southern mail got in on the morning of the 24th, under charge of Mr. Wells, as conductor, bringing us dates from Independence to the 30th ultimo, from St. Louis to the 27th, and from Washington and New York to the 18th.

We refer our readers to the letter of our St. Louis correspondent, in another column, for the political, as well as other important news. We have nothing from the presidential election, except what may be indicated from the result of the State elections; from this there seems to be no doubt of the success of the democratic ticket; and we may safely congratulate our democratic friends throughout the Territory upon the election of the democratic candidates, James Buchanan, and J. C. Breckinridge to the Presidency and Vice-Presidency of the United States.

The southern mail, from San Antonio, under charge of Mr. Cooper, arrived on the evening of the 25th, by which we received dates from San Antonio to the 1st instant, from New Orleans to the 18th and 22nd, and from Charleston to the 24th. From the San Antonio Ledger of the first inst., we learn that the Indians were committing and depredations in Mexico; in the State of Durango, they had killed six hundred and twenty-two men, twenty four women and six children, besides wounding and carrying away four women, sixty-seven boys and one girl.

In Texas every thing was quiet. The result of the State elections in Pennsylvania and Indiana, had been received with great enthusiasm.

The Hon. Judge Watts and two members of the Assembly, arrived with the southern mail. Next week we will give a summary of the general news.

HEAVY SNOW.

We have been visited within the last ten days with three severe snow storms, and some exceedingly cold weather. There is more snow covering the ground than we have seen at any one time for the last ten years. A few more such sprinkles, upon the top of those we have had, and we will be shut up for the winter. From present appearances we are likely to have a hard winter.

THE MOUNTAIN LAKE LEGEND.

We refer our readers to the out side of our paper, for a very interesting chapter of the "Mountain Lake Legend," in which is sketched a plan for building the Pacific Railroad. The idea is new to us, and it may be so to others; at any rate we think the plan at least feasible, and worth the attention and consideration of the railroad public, in the United States.

MILITARY AFFAIRS.

Reliable information has been received from Bent's Fort in relation to the attack made by the Kiowas on that place the latter part of October, and a military party from Fort Union has been directed to repair to that point to investigate the matter, and report the result to the head quarters of this Department.

Cadito, a Mesquero chief, delivered to the commanding officer at Fort Stanton eight

horses retaken from the Indians. They will be sent to Dr. Steck Indian Agent, subject to the demand of the owners, upon proof of property.

An investigation has been made into the reported robbery of beef cattle by the Navajos, noticed last week, and the whole story of the maydormo in charge of the cattle proved false, the cattleshaving died and strayed from the herd on the route to Defiance.

Company "E" (Hills) had been ordered from Cantonment Bergwin for temporary service at Fort Union.

About the 8th instant, a party of emigrants from Alabama, six men and a lad sixteen years old, was attacked at Eagle Spring Texas, by about twenty-five Indians; the fight lasted nearly five hours.

Col. Reed who was at the head of the emigrant party, reports himself and one other severely wounded, an all of his animals, except three, either killed or wounded. It is supposed that several of the Indians were killed, two it is said beyond a doubt.

Lieutenant Cooke, 8th Infantry, at last advices was out examining the trail of a party of Indians, reported to have passed near Fort Bliss, going north with a large number of horses, mules and cattle.

There is a class of men in the world who never acknowledge themselves ignorant of any thing; ask them for information upon any subject, and they will answer you promptly, as though they feared their intelligence would be questioned if they hesitated; they never ask for information on any subject, nor will they give the simple and plain answer, "I don't know," or "I am uninformd on the subject," but they will pretend to be well advised, and answer as if they were. From such men you will receive a correct answer just as often as they guess right, for it is all the time "guess work" with them.

We are led to these remarks from a question that arose between two gentlemen the other day, as to how South Carolina elected her Presidential electors; whether by the Legislature, or by the people.

As they could not settle it between themselves they agreed to refer it to one of our dignitaries. This individual didn't know, but true to his principles, he guessed, but unfortunately he didn't hit it. He went so far as to cite an act of Congress which required the election to be made by the people; and all on the same day throughout the United States; when the truth is you can hardly take up a newspaper from which you may not learn that the election is made by the Legislature.

Now how much more dignified, how much more creditable, and how much more honest it would have been, to have given the simple answer, "I am not informed on the subject?"

INDIAN AGENT DODGE A CAPTIVE.

As our paper was going to press, an express arrived at Department Head Quarters, with despatches from Major Kendrick, who writes from Zuñi, on the 22nd inst., stating that Captain Dodge, Agent for the Navajos, was out hunting about thirty-five miles south of Zuñi, when he was surprised and captured by a party of Gila Apaches, supposed to be of the Mogeyon band. This information reached Major Kendrick through a Mexican prisoner who made his escape from the Indians; and it seems to be regarded as reliable. The Mexican stated that up to the time he last saw Capt. Dodge, the Indians had treated him kindly, and he thought they only intended to claim a reward for his release.

It is to be hoped that his conjectures may prove true. We understand an express had been sent to Dr. Steck the Agent for the Gila Apaches, asking his interposition to secure the Captain's release.

(For the Santa Fe Gazette.)

Santa Fe Nov. 26 1856.

Mr. Editor:

I notice in the Missouri Republican of October 17th, a communication, written from Independence by one of the correspondents of that paper, who signs himself "M." This writer when speaking of Indian depredations in New Mexico, says: "The majority of the tribes are comparatively quiet, yet true to their nature they cannot let an opportunity escape for committing thefts."

These most noted for this are the Mesqueros, and it is said their depredations arise from the fact that the Senate failed to ratify the treaty made with them." Now Mr. Editor, I would like to know from what source, in this Territory, such information has been derived, or who it is that gave the Indians the information that the treaties had not been ratified? I have been a silent spectator in this Territory for more than two years, and I have yet to hear the first man say that Indian depredations were being committed on account of the treaties not being ratified, nor do I believe any honest man will make such a statement—certainly none will do so, who knows any thing about the Indians of the Territory. But on the other hand I have heard the opinion almost universally expressed among the people, that it is the weak and imbecile policy pursued with those tribes that has caused a continuation of their depredations.

The correspondent of the Republican is on a "cold trail" when he sets out to create a sympathy for the late treaties, it is the first time in the history of the government that any public act has been so universally condemned as that of making those treaties, and any thing said in reference to their ratification is little less than an insult to the people of our Territory. The absurdity of settling those Indians on the lands assigned them by the late treaties, can only be appreciated by our own citizens, and they should be left to decide for themselves, without the

interference of those having no connection with the Territory.

But it is not surprising that the writer of the article I am considering, should be led into the mistake that he has made, for I am aware that there are a few strikers about this city that have been constantly trying, by the most disgraceful falsehood, to worm those Indian treaties into vitality. They would sacrifice every interest of the people of the Territory, to sustain the imbecile act of the Executive in making those treaties. Those individuals like the Republican's correspondent, have no interest in our Territory; and it is of no consequence to them to see a set of thieving Indians fastened upon our settlements, occupying lands that should be left to the extension of the fields of our farmers. Now Mr. Editor it is by such fellows as these that the people in the States are deceived with regard to our affairs, and we in the end are made to suffer.

I have great confidence in our worthy young delegate in Congress, and feel sure that he understands our interests sufficiently well to detect and expose the machinations of those whose whole object has been to deceive and mislead the government with regard to our Territory. But as a further protection against these misrepresentations, the people should hold public meetings, and put in writing their desires not only with regard to measures, but they should designate men from our own citizens to manage the affairs of the Territory; and it is your duty Mr. Editor to urge this upon the people, for you may rest assured that so long as men are sent from other sections of the Union to manage our affairs just so long will we be misunderstood at Washington.

Yours, SANTA FE.

(Correspondence of the Gazette.)

St. Louis Oct. 27 1856.

We are just now in the midst of the Presidential election, with all its fuss, noisy and hurly burly. Until the recent State elections, on the 14th, in Pennsylvania and Indiana, the hearts of the Fremont men beat strong and their hopes ran high.

Up to that time, it was exceedingly questionable whether he would not be elected. So dark were Buchanan's prospects, that among his southern supporters, either in earnest or in terror, were threatening immediate disunion in terms calculated to frighten a good many of the north. But these elections have completely changed the face of things. Pennsylvania, which I had myself thought would go fusion by 10,000 majority, has given Buchanan's nominees over 5000.

Indiana, which was also counted by the fusionists, has gone for the democratic governor near 6000. In these States, the democrats have made large congressional gains, so large indeed, that the Free Soil Republican majority in the house is already neutralized. These elections are in my opinion decisive.

Thousands of wavering men and some doubtful States will be thrown thereby into the Buchanan ranks.

If Buchanan should be elected look out for some demonstration from that wing of his party who have always sworn by the Goddess of Manifest Destiny. Already the presses, organs of that wing—are expatiating on the necessity of "enlarging the area."

"No pent up union confines our powers But the whole boundless continent is ours."

The talk on that side now points strong toward the expansion southwardly to the Isthmus of Paoama. Walker the witty as well as valorous—I allude to William the Conqueror of Nicaragua—on being asked recently, when he expected to return to the United States, "as soon," he replied, "as I can go all the way by land."

You will observe that Walker has abolished abolition in Nicaragua. That State is now open to slave holders. Soule has bought a plantation there, price \$50,000. There may be political significance in that purchase.

California at last dates was quiet, the Vigilance Committee having dissolved. The shipments of gold are as usual.

From Europe the news is of an expected financial crash; and of trouble brewing on the Naples question between France and England on the one hand, and Russia on the other.

In France there is a good deal of conspiracy, which more or less jeopard's the Emperor's life, a life on which the internal peace of France hangs, as life itself does, by a brittle thread.

We have had here a grand exhibition which has been got up in the finest style by the Saint Louis agricultural and mechanical associations.

The amphitheater at the fair ground, is the largest in the United States. Over a hundred thousand persons came to see the noble show. I wish that among them there had been some of your magnates from New Mexico. They could not but have been delighted with the splendid and beautiful display in all the departments. The halls were crowded with the finest specimens of mechanical skill—light or solid according to its character—but rich and finished, and charming the gaze of most of the spectators with brilliant and gorgeous novelties of which they had before no conception. The show of sheep was pretty good, and that of cattle and horses particularly so. Every thing raised or manufactured in the United States was allowed to compete for the prizes, all of which were fixed on a most liberal scale. There was nothing offered from New Mexico, but some Paso wine, sent in through or by your former excellent Governor William Carr Lane, of whom let

me say parenthetically, no man feels a deeper and truer interest in the welfare of New Mexico than he. This wine was much approved. In fact your Paso wine, when it is carefully made and well opened, is in my opinion a better wine than can be raised east of the Rocky Mountains. Before next year, get up the spirit of association in your Territory among its principal men; and let them send to the next Fair specimens of your minerals, coals &c., and wines. By the introduction of good breeds of sheep, you can send wools which cannot be excelled. And there are other first rate things your people can do, if they only agree to do it. Let them ask the general government to make a geological survey of the Territory.

There is of course not much said about your Territory. This is partly caused by the fact that your affairs are less disturbed than they have been in some times past, and so far it is cause of congratulation. But it is partly also owing to the fact that you are supposed to be not "going ahead" like the rest of the Union, which, if the suspicion be true, is matter for regret to those who wish well to your Territory.

For my part I should be glad to hear of New Mexico through products which would do her credit—and which by the way she might easily produce at every industrial exhibition in the Union. And I should be happy to see her citizens proudly extending their invitations to their fellow-citizens of the rest of the Union, requesting them to come and see what New Mexico can show at such exhibitions in her own mountain valleys.

Very truly yours, X. L.

Fort Tharn New Mexico, November 3 1856.

CORRESPONDENCE OF THE GAZETTE.

Dear Sir:

On the 10th ultimo Maj. Steen marched from this vicinity in command of four companies last dragoons, for Tucson. Company G, commanded by Capt. Ewell, company D, by Lieut. Carr, company B, by Capt. Davidson, and company K, by Lt. Hastings, who also performs the duties A. A. Q. M. and A. A. Com. in addition. Lt. Moore Adjutant, Lieuts. Davis and Chapman, Dr. Keenan as acting assistant surgeon, and Major Wells as guide.

Mr. Elise Brevort was elected Sutler on the 18th inst. This command has been heard from on the Gila, 80 miles or more from here, all getting on well.

The health of this post is improving. A General court martial to consist of thirteen members, will assemble on the 5th instant, at Fort Fillmore, for the trial of soldiers. This took from here Col. Miles and Capt. Claiborne.

The escort ordered for the Sutters train to Tucson, will be commanded by Lt. Baker of this post, accompanied by Lt. McNally from Fort Fillmore, and consists of thirty rank and file of mounted rifles; will leave, it is supposed, on the 12th inst.

Do you know that the people in the Mesilla, in their municipal election in September last, voted for a delegate to Congress for the Territory composed of the Gadsden purchase? I am assured it is so, and Gen. Wm. Cloud Jones, received about 2000 votes for the position; no other candidate in the field. A Mr. Poston, the head of a mining company from Kentucky, passed here last July on his way to Tucson, informed me that he had authority, I know not from whom, to organize counties, order elections for county officers there, and that he intended to vote for delegate to Congress. I thought then he was joking, but now I have no doubt of its truth, and we may by the next returns from Tucson, receive the vote, and memorial to Congress. I have not ascertained by what name the new Territory is to be called. But this is an important move and politically will have an influence on your southern border in the future, little dreamed of by the Abolitionists.

Yours, SANTA BARBARA.

MARRIED.

On the 21st instant, in Bernallillo, at the residence of the brides father, by the Rev. Jase P. Macheleouff, of the Catholic Church, the Hon. Sidney A. Hubble of Albuquerque, to Miss Maria Ignasia Perea, daughter of Sr. Don Juan Perea.

Mr. Hubble requests the Missouri Republican, New York Herald, and the New Haven papers, to copy and forward accounts to him.

We copy from the Herald, published at Quincy Illinois, the following notice of the death of one of the children of our esteemed friend Mr. Wm. A. Miller, who was connected with the Gazette Office for nearly five years, previous to his leaving Santa Fe.

DIED.

In this city, Oct. 9th, GEORGE A., infant son of Wm. A. and C. Miller, aged 2 years.

United States of America } Territory of New Mexico } First Judicial District. }

Theodore D. Whenton & Joab Houghton, vs Letitia Blackwell. Attachment.

This day came the plaintiffs by their attorneys and it appearing to the court that the said defendant is a non-resident of this Territory, so that the ordinary process of law cannot be served upon her, it is therefore ordered by the court that she said defendant be required to appear and answer to said cause on or before the first

day of next term of this court, or judgment will be entered against her for the damages claimed in plaintiff's petition.

It is further ordered by the court that publication of this order be made in the Santa Fe Gazette six weeks successively, the last to be at least two weeks before the next term of this court and that this cause be continued to the next term of this court.

A true copy of the order made at the September term of said court.

Santa Fe November 28 1856.

AUGUSTUS DE MARLE,
Clerk.

GACETA SEMANARIA DE SANTA FE.

Independiente en todo—neutral en nada.

J. L. COLLINS, ---Redactor.

Santa Fé, Noviembre 29 de 1856.

CASAMIENTO.

El día 21 del corriente, en Bernalillo, en la residencia del padre de la novia, por el Reverendo José P. Macheboeuf, de la Iglesia Católica, el Hon. Sidney A. Hubbell, de Albuquerque, con la Señorita María Ignacia Perea, hija del Sr. Don Juan Perea.

El Sr. Hubbell suplica que el Republicano de San Luis, el Herald de Nueva York, y las Gacetas de Nueva Haven, copien este aviso y le remitan sus cuentas.

PROCEDIMIENTOS DE LA JUNTA DE EDUCACION.

Lunes, Julio 21 de 1856, á las 10 de la mañana.

La junta se reunió según prorroga. Un quorum siendo presente, los procedimientos de la última sesión fueron leídos y aprobados.

El Sr. Teodoro Gonzales fué debilmente juramentado y tomó posesion, como un miembro de dicha junta.

El Sr. Houghton de la comision nombrada con el fin de preparar reglas, hizo mocion para que dicha comision fuese dispensada de presentar dichas reglas en la presente sesion.

Convenido.

El tesorero informó haber ingresado al tesoro de los fondos de educacion la suma de \$84 37 1-2, haciendo la suma total que existe en dicho tesoro a \$901 12 1-2.

Cuyo informe fué adoptado.

Por mocion del Sr. Houghton fué nombrada una comision de tres con el fin de dar informe a la legislatura en su proxima sesion de los progresos de dicha junta.

Aceptada.

El Hon. Miguel E. Pino nombró en la comision a los Srs. Houghton, Collins, y Baca y Delgado.

A mocion del Sr. Houghton, la junta fué prorrogada hasta el 4º Lunes de Noviembre proximo, a las diez de la mañana.

COLECTACION DE EDUCACION.

| | Ps. | Rs. | S. |
|--|-----|-----|----|
| Multas, veinte pesos | 20 | | |
| Precinto No. 4, Antonio Ortiz y Salazar | 278 | 2 | 6 |
| Precinto No. 3, Lorenzo Martin y Jesus Maria, Baca y Salazar, colectores | 239 | 6 | |
| Precinto No. 1, Colector Ramon Sena | 6 | 2 | 6 |
| Precinto No. 5, Colector Ramon Romero | 83 | | |
| Precinto No. 2, Colector Julian Benavides | 90 | 2 | |
| Precinto No. 8, Colector Joaquin Chavez | 96 | 7 | |
| Precinto No. 6, Colector Leonidas Baca | 93 | 4 | |
| Precinto No. 9, Colector Victor Garcia | 12 | 6 | |
| Total colectado y multas | 836 | 6 | 0 |

FR. ORTIZ Y DELGADO, Tesorero.

Santa Fe, Abril 21 de 1856.

El tesorero del fondo de educacion informa á la junta de la misma que en la última prorroga y hasta hoy ha recibido de los colectores lo siguiente:

| | Ps. | Rs. | S. |
|---|-----|-----|----|
| Precinto No. 1, Don Ramon Sena | 59 | 3 | |
| Precinto No. 4, Don Antonio Ortiz y Salazar | 3 | | |
| Precinto No. 2, Don Julian Benavides | 2 | | |
| Total recibido | 64 | 3 | 0 |

FR. ORTIZ Y DELGADO, Tesorero.

Sr. Redactor de la Gaceta de Santa Fé.

CONTINUA.

En el otro punto del numero 38 contesta al Recluta justificando que el jama ha intentado reformar los diez mandamientos de la ley de Dios, y protesta para en adelante; "que si acaso dijero algo acerca de estos diez mandamientos será para recomendar su observancia como han sido instituidos por Dios." Veremos si cumplira lo que promete. Mas cuanto a la segunda parte del mismo punto, esto es, la reforma de los Mandamientos de la Iglesia la cosa es muy diversa, y saltando valles y montes se pretorea de los lugares Canonicos, y del Concilio Tridentino para atacar el 50. mandamiento de la Iglesia, y nos corrobora su argumento con una interpretacion violenta hecha a su modo.

Para que todo ciudadano conozca claramente que el concilio Tridentino en la sesion citada por el Sr. D. Antonio Jose Martinez Santistevan que es el 25. cap. 12 informe a la doctrina de la Iglesia, y contra él, y sus sucesores, extraré aqui entero todo el epítalo aunque se me taché de prolijo, y fastidioso. Dice así:

"No se deben tolerar las personas que valientes de varios artificios, pretenden quitar los diezmos que caen a favor de las Iglesias; ni los que temerariamente se apoderan, y aprovechan de los que otros deban pagar pues la paga de Diezmos es debida a Dios, y usurpan los bienes ajenos cuantos no quieren pagarlos, o impiden que otros los paguen. Manda, pues, el Santo Concilio a todas las personas de cualquier grado y condicion a quienes toca pagar diezmos, que en lo sucesivo paguen enteramente los que de derecho deban a la catedral, o cualquier otra iglesia, o personas a quienes legalmente pertenecen. Las personas que, o los quitan, o los impiden, excomulguese, y no alcancen la absolucion de este delito, a no seguirse la restitucion completa.

Exorta ademas a todas, y cada uno de los fieles, por la caridad, y por la debida obligacion, que tiene a sus pastores, tengan a bien socorrer con libertad de los bienes, que Dios les ha concedido, a gloria del mismo Dios, y por mantener la dignidad de los pastores que velan en su beneficio, a los Obispos, y Parrocos que gobiernan Iglesias muy pobres." He aqui en que terminan se expresan los Padres del Concilio Tridentino. Luego según el Concilio Tridentino queda excomulgado el Sr. D. Antonio Jose Martinez Santistevan Parroco, que fue de Taos; porque con sus escritos, palabras y consejos impide la coleccion de los diezmos, y por haberse apoderado, y aprovechado temerariamente de los que otros han pagado. Estas tambien incluidos en la excomunion fulminada por el Santo Concilio el hermano de Padre Martinez D. Pascual, Sr. Santiago Valdez su predilecto, y otros individuos que me detengo nombrar por ahora por no ser tan culpables, porque con todo esfuerzo y ahinco impiden que los buenos catolicos paguen los diezmos.

Respecto al Arancel eclesiastico Santistevan se explica en el No. 38 de la Gaceta de este modo "que los derechos del arancel eclesiastico son muy suficientes para sustentar a los eclesiasticos, y a su Diocesano." Y en el numero 33 tratando este mismo asunto dice: "que el arancel que corre en la actualidad es el mas infimo que corre para alimentar escaseamente a los eclesiasticos." Sr. Preceptor de Filosofia ¿cual de las dos proposiciones es la verdadera?

Tambien dice el señor Santistevan: "que todas las parroquias de N. M. estan dispuestas a pagar los derechos establecidos por el arancel eclesiastico." Y en el numero 33 (cuando la famosa despedida) dice: "que ni aun llevaba la totalidad de los derechos al ver la renuncia y falta de voluntariedad en las gentes, que muchos querian se les prestasen los servicios sin cargo alguno." ¿Que significa esto? Allí estan dispuestos a pagar, aqui renuncian. ¿En que quedaremos? Parece que tiene muy poca memoria de lo que escribe.

No quiero contestar por lo que toca a los derechos de Autos de confirmacion, dispensas, concesiones, pension sobre Curatos, y posesion del de Santa Fe; porque bien publica y notoria es la conducta del Superior en esta materia. Ya un suponiendo verdad lo que afirma no compete a él, ni a otros fijar al Diocesano la cuota de sus rentas.

Signe, despues, instando en que su opinion, y es de mucho peso, es de que se levanten las penas eclesiasticas, y la suspension a los curas contra los transgresores del 50. Mandamiento de la Iglesia. En vez de enseñar esa doctrina erronea, y contraria a la Iglesia ¿por que no procura desair los corazones de los fieles del apego a las cosas terrenas para que por cuanto fuera posible nos asemejaramos a los primeros cristianos? Se admira la benignidad de que V. está tan adornado; pero pongala en practica para con las te su familia a quienes está condecorando el principio, pues que así lo exige el orden de la caridad. De las otras personas cuidará quien está legitimamente encargado. Mas valiera que parecieran diez, uno, que no infecto todo el rebaño miserablemente pereza por el temor de no haber querido usar el remedio en tiempo oportuno.

Que el uso de la facultad de las penas eclesiasticas se oponga a texto expreso de la sagrada escritura es falso, y la cita de San Pablo que V. nos hace al versiculo 10 cap. 13 es incongruente. Cuando el Doctor de las gentes castigó al incestuoso de Corintio ¿usaba de la potestad que se le habia conferido para la edificacion de la Iglesia, o para su destruccion? Cuando el Gran Ambrosio Obispo de Milan impidió la entrada en el templo al Emperador Teodosio usaba de la facultad conferida para la edificacion de la Iglesia o para su destruccion? Cuando los Pontífices, y Concilios han fulminado anatemas contra herejarsicos usando de las facultades conferidas, le hicieron para edificacion, o para destruccion? Luego cuando la Asamblea legislativa redacta un proyecto, lo discute, y forma una ley dura, fuerte para reprimir los asesinatos, y robos, que continuamente estamos viendo en el Territorio, será una bien para la destruccion de la sociedad, que para su conservacion, y edificacion?

Una peticion a Roma sobre negocios teologicos y leyes canonicas, y asegura: que está bien informado de personas veraces, y sensatas. Pues que el negocio esta en manos de los tribunales competentes aguardemos el resultado. Pero el Señor Santistevan tiene muy poca paciencia, y como dominado de una pasion a favor de una de las partes litigantes concluye aquel punto de la Gaceta numero 38 amenazando: "que si sucediera lo contrario de lo que se juzga, y la Santa Sede mandara disposicion de interdictos, y otras penas eclesiasticas, por solo informarse de una parte sin pruebas, esta no sería recibida por que careciendo de los requisitos esenciales para la validez de una sentencia produciria su nulidad. Hitenos aqui el Sr. Santistevan Doctor en ambos derechos erijido, no solo en juez supremo de esta causa, sino tambien del Sumo Pontífice Romano para impedir que ligaran en conciencia a los catolicos las penas, y entredichos que pidiere si las circunstancias lo exiguieran. Pero... sosieguese que esperamos el negocio no llegará a tanto, tenga fiema, que en Roma no se precipitan los asuntos como aqui, dando una plumada para la Gaceta, cuyo periodico llegada a aquella Capital del Mundo Católico leydo, y examinado, no podrán menos de admirar la exactitud de ideas, la rectitud del juicio, y la profundidad de ciencia del Jurisconsulto Sr. D. Antonio Jose Martinez Santistevan, y ciertamente la eligiran para que entienda, con la imparcialidad y justicia que manifiesta, como arbitro de la cuestion.

El cuarto punto está respondido según Santistevan en lo que se dijo de una campana, y de consiguiente yo tambien me refiero al ruido que antes hizo, aturdiendo los oidos de Santistevan con la clausula testamentaria del finado Ortiz.

Continua nuestro Bibliotecario: "El convento de San Francisco junto a la Parroquia de Santa Fé fué vendido por el Ilmo. Obispo anterior D. José Antonio de Zubiria en su tiempo." En esto como en todo lo demas manifiesta su mala fé, y poca verdad. Sr. Santistevan; el Ilmo. Sr. Zubiria no vendió el convento, sino que lo permutó por 300 ovejas, cuyo fruto debe quedar a beneficio del Parroco de Santa Fe. Con que los correspondientes o no le informaron bien, o no entendió lo que le escribieron. Respecto a otras fabricas en Albuquerque nada tenemos que hacer. Las partes contendientes, ya finalizaron el pleyto, que fué lo mejor para ambas partes; pues de lo contrario los hubiera sucedido lo que a los enfermos de tisis que se van consumiendo poco a poco, hasta que hablando espiran y si hubiera verificado el pie de la letra aquel proverbio castellano: "quedarse como el gallo moron; sacarendo y sin plumas."

En tono magistral presenta Santistevan un argumento, y para su prueba se sirve de cesion 14 de penitencia cap. 7. del Concilio Tridentino, por el cual se concede facultad a cualquier Sacerdote para que en articulo de muerte absuelva a cualquier penitente de cualquier pena reservada, y censuras. Planta así su raciocinio "En el articulo de la muerte ninguna reservacion hay: luego la impuesta por el Prelado a las cabezas de familia que se encuentra en aquel caso es nula, y de ningún valor; porque contradictoria a la proposicion de fé, y de consiguiente herética." Responдемos según la pequeñez de nuestro ingenio el Coloso y orificio de la filosofia. Pero antes deseo manifestarle que aunque pudiera negarle absolutamente la proposicion que forma el antecedente, y probar que hay reservacion aun en el articulo de muerte, como consta en el mismo Concilio Canon 14 del Concilio Tridentino, en el cual se leen estas formales y terminantes palabras: "Es tambien muy conforme a la autoridad Divina que esta reserva de pecados tenga su eficacia, no solo en el gobierno externo; sino tambien en la presencia de Dios." Tambien pudiera echar mano de los evangelios de S. Mateo y S. Juan para el mismo fin. Aquel manifestandonos la potestad limitada que el Divino maestro legara a sus Apostoles, y en ellos a todos sus sucesores así dice: "Todo lo que ligareis en la tierra quedará tambien ligado en el cielo; y todo lo que desatares en la tierra, quedará tambien atado en el cielo. S. Mat. 16 y 18." El otro proposito de esta misma potestad, y reservacion así se expresa: "Los pecados de aquellos que perdonareis, les quedan perdidos, y quedan ligados los de aquellos que no perdonareis. S. Juan 2." Luego la Iglesia puede y tiene facultad, para reservar, y con efecto lo ha verificado en varias circunstancias sin faltar por eso a la piedad y caridad que tanto distingue a la querida Esposa de Jesucristo. No obstante, todo esto, paso al argumento propuesto arriba, esto es: "En el articulo de muerte no hay ninguna reservacion: Luego etc. Distingue, con la buena paz, de mi Maestro, el antecedente, y digo: en el articulo de muerte no hay reservacion de pecados, y censuras, para los pecadores bien dispuestos, como para los obstinados, protovos, e impenitentes, niego. Ningun Sacerdote puede hacer Sacramento faltando uno de estos tres requisitos, materia, forma, e intencion, en el caso de dicarase esto es: el penitente que no quisiese resarcir lo usurpado de los diezmos en el articulo de la muerte ¿no dará manifiestas pruebas del poco arrepentimiento, y proposito requisitos esenciales en este Sacramento de la Penitencia pues son y forman la materia proxima del? Y ademas no sería tambien una prueba inequivoca de su impenitencia final? Cuando de parte del penitente moribundo no hay obispo la Iglesia Madre piadosa faculte a cualquier Sacerdote para absolverlo de toda reservacion, pero bien entendido en caso de necesidad, porque si en la Parroquia hay dos Sacerdotes uno suspenso y excomulgado; y otro abilitado y ademas que sea su Pastor, salta a la vista a quien debe recurrirse, y cual de ellos está con plenos poderes para ejercer acto de jurisdiccion. Luego la pena fulminada por el Prelado es conforme a la doctrina de la Iglesia y a los Sagrados Canones, y de consiguiente en nada se opone a textos Sagrados de la escritura sino que es catolica, y muy catolica. El Señor Don Antonio Jose Martinez Santistevan está excomulgado, primero, por la razon que arriba hablando de diezmos indique, segunda es irrogarle por haber celebrado suspenso, enterrado en

su casa a un parvulo niño suyo, herético por su rebeldia, herético por propagar doctrinas contrarias al dogma, a la moral, a la Yglesia, y a la disciplina eclesiastica, tanto en sus escritos, como en sus palabras y obras.

La polemica con el Recluta ya finalizó. Sin embargo no puedo pasar en silencio la manera osada y petulante con que dirige algunas interrogantes entre los cuales uno que en verdad no sé si el Sr. Don Jose Martinez Santistevan Ex-parroco de Taos estaba on sus trece cuando lo escribió, y es como sigue: "¿Que justicia halló éste (El Recluta) para que se paguen los diezmos?" No se sofoque tanto, y vaya un poco mas despacio, que antes de haber remitido a la promesa esa pregunta, debía haber restituido á todos estos feligreses el fruto, que V. por tantos años ha estado gozando, y disfrutando en la actualidad de esas injusticias. Sr. Santistevan, es preciso que un hombre como V. sea coherente así mismo; en diverso caso va V. a hacer la rision de los ciudadanos del Territorio. Llamo injusticia el pago de los diezmos, y porque V. este año ha recibido según consta por recibo firmado de su propio puño la parte que le correspondió de animales? Si es injusticia, y esta intimamente convencido de ella ¿por que ha pagado diezmo de animales, y de granbo como con recibos firmados por V. se podrá probar? ¿Dando estamos Sr. Santistevan? Mejicanos, aquí bien á las claras tenia quien sea este hombre; y que poco hay que fiar de él. Escribe una cosa, y hace otra. Dice con los labios una palabra, y practica lo contrario. Pero no hay que extrañar; porque la inconstancia es el fruto unico que produce el error, y la impiedad. Terminante es Sr. Santistevan el mandamiento de pagar los diezmos a los Sacerdotes, que Dios impuso a los Judios: No tardaras en pagar tus diezmos, y primicias. —Todos los diezmos de la tierra, ya sean de granos, ya de frutos de arboles del Señor son, y á él lo estan consagrados: de todos los diezmos de vacas, ovejas, lo que se les contare decimo, será consagrado al Señor: Ezo. 22. v. 29. Lev. cap. 27. v. 30 32. Todo lo cual fué destinado por Dios al sustento de los Sacerdotes, y Levitas. En la ley evangelica, si bien no hay mandamiento expreso de pagar cuota determinada, se manda sin embargo que los cristianos provean á los ministros del altar de lo necesario para su decente subsistencia. Jesucristo, hablando de esto con sus discipulos, fundaba este deber en la ley natural de justicia que prescribe dar al trabajador la justa retribucion: unus dixit emm operarius mercalure. Luc. cap. 10. v. 7. y cap. 8. v. 2 3.—Mat. cap. 10. v. 10.— El Apostol San Pablo así hablando de este modo: "¿Quien jamas vá á campaña á sus expensas?" Quien planta viña, y no come del fruto de ella? ¿Quien apacienta ganado, y no come de la leche del ganado? ¿Por ventura digo yo esto como hombre? ¿No lo dice tambien la ley?...? Y que no dice esto por nosotros? Si ciertamente, por nosotros estan escritas estas cosas. Porque el que ara, debe arar con esperanza; y el que trilla con esperanza debe percibir los frutos. Si nosotros os sembramos las cosas espirituales, ¿os gran cosas, si recogemos las que tocan al cuerpo que pertenecen á nosotros? Si otros participan de esta potestad sobre vosotros, ¿por que no mas bien nosotros?... No sabeis que los que trabajan en el Santuario, comen de lo que es del Santuario; y los que sirven al altar participan juntamente del altar? Así tambien el Señor ordeno, que los que anuncian el evangelio, vivan del evangelio. Cor. 1 cap. 9. v. 7. y sig.

Los primitivos cristianos entendieron y cumplieron con tanto rigor, y exactitud este mandamiento natural, y divino de dar la competente manutencion á los ministros del altar que como nos dice San Lucas en los hechos apostolicos, todos los que creen bendicen sus posesiones, y haciendas, y ponian el precio de ellas ante los pies de los Apostoles, y servian no solo para la subsistencia de los ministros, sino tambien para remediar las necesidades comunes. Act. Ap. 2. vv. 45 y 46 y cap. 4 v. 37. Sobre esto paso el erudito tomo sin hacer esta reflexion: "Con toda verdad se puede decir, que de aquellos primeros fieles empezaron, y fueron concedidas á las Yglesias las primicias, diezmos, y oblaciones, y finalmente sus mismas posesiones: pues todas estas cosas abrazaba aquella enajenacion de las casas, y de los campos, y el precio de ellas acumulado á los pies de los Apostoles. El que todo lo eroga, da las primicias, y los diezmos, y mas que esto toma; secret et nov. Ecol: 3. lib. 1, cap 1, n.º 16.

Y baja dilatando el evangelio, y multiplicando sus ministros, y vemos por la historia, y por los Padres de la Yglesia, de aquellos primeros siglos que los fieles cuidaban escrupulosamente de llevar esos sagrados deberes con las copiosas oblaciones, que trahian espontaneamente á la Yglesia, en terminos de no haber necesidad de echar mano del precepto del diezmo para cumplir con esta obligacion. Pero mas adelante dejaron de ser tan copiosas las oblaciones, y no bastaban á cubrir las necesidades de la Yglesia, y de sus ministros; por lo que la Yglesia se vio obligada á hacer uso de su derecho, que no fue abrogado por la ley de gracia. En el tercer siglo los SS. Padres exhortaban algunas veces á los fieles á cumplir con el deber de acudir á la manutencion de los Sacerdotes siquiera con la decima parte de las primicias y diezmos; y otras veces obligandolos como al cumplimiento de un deber de religion caridad y justicia. Ya en ese mismo siglo tercero San Cipriano, y Origenes alegaban á los fieles el precepto de la ley de Moises sobre los diezmos y primicias, y añadan estos teologos consumados que este precepto debía observarse mas religiosamente, y con mas abundancia por los

cristianos que no lo hacen las fariseas.

Tambien las constituciones apostolicas premiaban á los fieles al pago de los diezmos y primicias Orig. Hon. 11 in Num. Const. lib. 7, cap. 30. San Agustin y San Geronimo hablan ya de él, haciendo estribar este deber en el derecho divino. "Dad al Cesar, donde es el tributo, y la pennia, y las cosas que son de Dios dadlas á Dios, los diezmos, las primicias, las oblaciones, y las victimas. San Geronimo, en S. Mat. cap. 22. S. Agustin tuvo la misma explicacion del citado texto, y del otro: nisi abundaverit justitia vestra placuum scribimus, et phariseum non intrabit in regnum caelorum, y dice "todo el que obra bien en la Yglesia de Cristo, su justicia abunda sobre la de los Escribas y Fariseos, mientras como estos desean los diezmos, los cristianos dan la decima parte, no solo de los frutos, sino tambien de los mismos bienes propios, como hizo Zaqueo, e igualmente duplique el cristiano la decima parte, y dando los diezmos aventaje en esta parte á los judios. S. Agustin, lib. 30 hon. 48, y sus, evang. 12, cap. 31. De temp. hon. 265, p. 216. Omito por brevedad otras citas respetabilissimas y verdaderas, y eminentemente catolicas como las del Concilio Romano 4.º. precedido por uno de los Pontífices mas sabios de la Yglesia, San Damaso, quien obligaba por un decreto al pago de los diezmos y primicias, bajo pena de anatema. Las de los Concilios de Macon, de Chalons, de Turin, de Maguncia, como tambien las de los dos Concilios generales de Letran, 3.º. y 4.º. y finalmente el de Tridentino que como ya indiqué fulminó la pena de excomunion contra todos los que quitan, ó impiden el pago de los diezmos, y que no sean absueltos de tal delito, si primero no verifican su completa restitucion.

Los doctores consumados y verdaderamente sabios en todas materias teologicas, morales, y sagrados canones, versados en la historia eclesiastica y en la tradicion, los concilios mas respectables, que según el dogma no pueden errar en materia de fe cuando legitimamente estan congregados, los sumos Pontífices, que han mandado el pago de los diezmos, la Yglesia, que tambien según el dogma esta regida por El Espiritu Santo, y cuya asistencia, según la promesa infalible de su Divino Fundador que reconoce y ha puesto entre sus fundamentos este: de pagar diezmos y primicias: todo Sr. Don Antonio Jose Martinez Santistevan ex-parroco de Taos, todos obraron de mala fé, y no reconocieron ningun derecho de justicia, ni para su imposicion, y aun mucho menos para su recepcion? Todos ignorantes, ladrones, perdidos, que ni aun visitaron los umbrales de las casillas teologicas donde solamente es lícito penetrar, vivir, y fijar su morada al ser, y talento privilegiado de Santistevan. Ovído por ventura lo que dice San Pablo, tampoco conoce este las casillas donde él habita, cuando escribia á los Corintios: que así como otros; por ejemplo los gobiernos, participan de la facultad y potestad de exigir las subvenciones correspondientes á su oficio y trabajo, con mas justicia la tiene él y los ministros del altar por la misma razon? Cor. 1, cap. 9. v. 12. (véanse los espositores Cornelio A.—Lapide, y Tirin sobre este lugar.)

Nada diremos respecto a las culpabilidades de que se defiende; pero si que no está muy a proposito citado un San Pedro, un San Pablo, y un San Agustin. El primero derramó lagrimas toda su vida, el segundo fue un sublime Apostol, defensor y propagador de la religion, y el tercero, que sería a quien mas propiamente debía de imitar, abjuró sus errores, y confesó publicamente sus delitos. Pues que según este mismo Santo dice: "es propio de los hombres el errar, pero cosa diabólica perseverar."

Creo haber molestado bastante la atencion del publico con este escrito, y aun cuando nada he dicho de catedral, canonicos, asistencia de prebendados y demas beneficios donde y de quienes aprendió tan buenas cosas; pero entre paréntesis (porque no va a Durango? que buenas ganas tienen los canonicos de hechis el ganante?) con todo me he detenido bastante. En fin concluyo en un sentido muy diferente del Sr. Don Antonio Jose Martinez Santistevan y es: que debemos esperar los fieles catolicos en que el Todopoderoso iluminara a este infeliz, y estraviado Sacerdote para que se reconosca, y le conceda tiempo para que se retrate de sus errores, y corrija en parte los daños que han causado sus depravados escritos, y arrependido pase tranquilamente el resto de sus dias en remediar los años pasados, y desahogado con su buen ejemplo enseñara a los jóvenes eclesiasticos (particularmente extranjeros) aquella virtud, que tanto recomiendo a otros; pues que la humildad es la base fundamental de la religion.

UN OBSERVANTE.
Fernandez 9 de Noviembre 1856.

FRANCIA.
(Continúa.)

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on the occasion of the... I will...
The country is at present as tranquil as it is possible...
The means which are employed to had not produced sufficient to maintain the government...

The attempt to get an outbreak in Guatemala...
The government must not yield in the least...
The Pope has sent a...
The Monitor of this city is publishing very serious news...

The power that bears...
The Mexican ladies are but little given to parties...
The next opportunity, you...

AGRICULTOR GENERAL DEL NUEVO MEXICO.
Despacho del Agrimensor General...
Se avisa por el presente que la Junta del Agrimensor General...

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AVISO.
Se avisa por el presente que la Junta del Agrimensor General...
ANASTASIO SANDOVAL.

NOTICIA.
Juan W. Dunn respectivamente informa al publico que el de comercio de esta ciudad para el...

AVISO A LOS HABITANTES DEL NUEVO MEXICO.
Al Agrimensor General del Nuevo Mexico se le requiere por una comision del Congreso...
El Agrimensor General del Nuevo Mexico se le requiere por una comision del Congreso...

A LOS QUE RECLAMAN DONACIONES DE TIERRAS.
El Territorio de Coahuila, el cual, conforme a lo establecido en el Tratado de Guadalupe...
Se avisa por el presente que la Junta del Agrimensor General...

AGRICULTOR GENERAL DEL NUEVO MEXICO.
Despacho del Agrimensor General...
Se avisa por el presente que la Junta del Agrimensor General...

31 Tomas Cabes de Bona, Ojo del Espiritu Santo, Condado de Santa Ana.
Apoyados por quienes se reclaman que eligen con aquellos arriba citados...

AVISO.
AVISO se por el presente que la Junta del Agrimensor General del Nuevo Mexico...

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