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### "Overrun All This Country..." Two New Mexican Lives Through the Nineteenth Century

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## “Overrun All This Country...” Two New Mexican Lives Through the Nineteenth Century



“José Francisco Chavez.” Library of Congress website, July 15 2010, <https://www.loc.gov/rr/hispanic/congress/chaves.html> accessed March 16, 2018.



“General Nicolás Pino.” Photograph published in Ralph Emerson Twitchell, *The History of the Military Occupation of the Territory of New Mexico*, 1909.

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April 20, 2018

## Contents

Introduction.....	2
I. “A populace of soldiers”, 1819 - 1848. ....	10
II. “May the old laws remain in force”, 1848-1860. ....	22
III. “[New Mexico] desires to be left alone,” 1860-1862. ....	31
IV. “Fighting with the ancient enemy,” 1862-1865. ....	53
V. “The utmost efforts...[to] stamp me as anti-American,” 1865 - 1904.....	59
Conclusion .....	72
Acknowledgements.....	76
Appendix I: Maps .....	77
Bibliography .....	81

## Introduction<sup>1</sup>

Five years before the outbreak of the U.S.-Mexican War, one of the wealthiest patriarchs, or *patrones*, of Nuevo México sent his eight-year-old son, José Francisco, to obtain an English education in St. Louis, Missouri. He advised his child, “The heretics are going to overrun all this country. Go and learn their language and come back prepared to defend your people.”<sup>2</sup> In 1861, that child became U.S. Lieutenant Colonel J.F. Chavez, a key participant in the U.S. Civil War in New Mexico. Before his assassination in 1904, Chavez served as a lead officer in the Apache

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<sup>1</sup> Throughout this work I have made every effort to provide Spanish primary source quotations in the original language either in parentheses or a footnote. The major exception to this rule is the memoir of Rafael Chacón, for which I was only able to obtain and work with Jacqueline Dorgan Meketa’s English translation. For all other sources unless otherwise noted, I offer my own English translation alongside the original text. It is important to note that the distinction between English and Spanish in nineteenth-century New Mexico were often blurred, with each language influencing the vocabularies and grammar of the other. I did not wish to alter this important linguistic fact by deciding what should or should not be translated in a mixed-language sentence, so in these cases I leave the sentence as is, and offer single translations of Spanish words in parentheses.

<sup>2</sup> Recorded by Ralph Emerson Twitchell (1912), quoted in “José Francisco Chavez”, Hispanic Americans in Congress 1822-1995, Library of Congress, January 1, 1995, <http://www.loc.gov/rr/hispanic/congress/Chavez.html>.

and Navajo campaigns, congressional delegate for the territory, district attorney, and state historian. He became highly involved in both local and federal post-war politics by intentionally positioning himself as both Mexican and American, Hispanic and Anglo in order maintain his culturally specific, inherited status as a *patrón*. This status, simultaneously economic, social and political, was contingent upon to the unique history and culture of Hispanic New Mexico. A *patrón*'s economic wealth derived from his inherited Spanish land grant. The labor of *peones* ("peons") tied to their *patrón*'s land by both debt and social obligations made this land profitable. Socially, *patrones* secured power and masculine honor through patriarchal dominance over, as well as magnanimity towards, the women, children, and less powerful men within their extended kinship networks.<sup>3</sup> As scholar James Brooks has shown, patriarchal dominance also manifested violently in the Southwestern borderlands practice of capturing and enslaving American Indian women and children. Native patriarchs likewise sought affirmation of their own status through the capture of Hispanic New Mexicans.<sup>4</sup> Politically, the role of a *patrón* required what J.F. Chavez's father asked of his son at such as early age: to lead, protect, and advocate for his Hispanic New Mexican<sup>5</sup> community — "his people."

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<sup>3</sup> For an economic examination of the duties of a New Mexican *patrón*, see Maria E. Montoya, "Chapter 2: Regulating Land, Labor, and Bodies: Mexican Married Women, Peones, and the Remains of Feudalism" in *Translating Property : The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Berkeley: University of California Press, 2002), 46-78.

<sup>4</sup> James F. Brooks, *Captives and Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002), esp. 8-9, 19-26.

<sup>5</sup> I have intentionally chosen to use the terms "Hispanic New Mexican" and "*Nuevo Mexicano*" throughout this project, rather than the contemporary "Latina/o/x" or the wordier "New Mexicans of Spanish-Mexican descent", because the Spanish-speaking elite of New Mexico on whom this essay focuses consistently affirmed and acted upon their identities as descendants of Spanish conquistadors, viceroys, etc. often to minimize any indigenous ancestry. I avoid referring to these Spanish-descended residents of the New Mexico territory as simply "Hispanics" or "New Mexicans." The first term is imprecise: "Hispanic" could include the Spanish-speaking people of other states, such as Texas or California. The second is similarly broad: the English demonym "New Mexican" may be applied to any resident of the territory, regardless of linguistic, ethnic, or racial identity.

The other subject of this work, Nicolás de Jesús Pino, resided in three different countries during his lifetime but never once lived outside the territory of New Mexico. Like Chavez, Pino's family occupied a high-status position as landed elite *patrones* of their local Hispanic community in Santa Fe throughout the nineteenth century. Nicolás Pino was already a forty year-old veteran of armed conflict and of territorial politics at the outbreak of the U.S. Civil War, a member of the older generation of Hispanic New Mexican elites who spoke only Spanish and did not seek out interactions with Anglo outsiders.<sup>6</sup> Born in Santa Fe in 1819, he was barely two years-old when Mexico gained its independence from Spain and twenty-seven when he helped plot an overthrow of the U.S. military government during the U.S.-Mexican War.<sup>7</sup> During the U.S. Civil War, Pino served as an officer of the Second New Mexico Militia, only to become a prisoner of the Confederacy. After the Union victory, he returned to traditional *hacienda* lifestyle and remained somewhat isolated from Anglo-American society.<sup>8</sup> In this way Nicolás Pino negotiated warfare, changes in nationality, and cultural shifts in ways that protected his socioeconomic status. Unlike Chavez, Pino stayed mostly separate from large-scale Anglo-American politics after the U.S. Civil War, maintaining his social power on a local rather than territorial scale. The difference between his path and that of Chavez prompts a comparative

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<sup>6</sup> I conclude this given that no English documents written by Nicolás Pino could be found; he always sought a translator in military and legal affairs. In the one document written in his own hand, his military pension request, Pino used Spanish grammar and prepositions rather than the English provided on the form.

<sup>7</sup> Birth year from New Mexico State Archives & Records Center AASF, Santa Fe Baptisms, Reel 16, Frame 402. New Mexico State Archives hereafter abbreviated to "NMSA". Participation in the U.S.-Mexican War from "United States Mexican War Pension Index, 1887-1926," FamilySearch, updated 4 December 2014, "Nicholas Pino, 1890"; citing Pension, New Mexico, NARA microfilm publication T317 (Washington D.C.: NARA); FHL microfilm 537,009.

<sup>8</sup> Record of Appointment of Postmasters, 1832-1971, NARA Microfilm Publication, M841, 145 rolls, Records of the Post Office Department, Record Group Number 28 (Washington, D.C.: NARA). Appointments of U. S. Postmasters, 1832-1971, Ancestry.com database.

examination between the two men's actions as high-status members of the increasingly colonized society of Hispanic New Mexico.

This project works to uncover the adaptation of the Nuevo Mexicano elite to their shifting geographic and political location during the nineteenth century through the microhistorical lense of two individuals, José Francisco (J.F. or J. Francisco) Chavez and Nicolás Pino, who were *patrones* of wealth and influence throughout their lives. It moves beyond establishing the existence of Nuevo Mexicano Union soldiers—which Jerry Thompson accomplished in his 2015 *A Civil War History of the New Mexico Volunteers and Militia*—and toward understanding what social, economic, and political realities motivated the actions of the Hispanic New Mexican landed elite (or *ricos*) during moments of crisis such as the U.S.-Mexican and U.S. Civil War. I argue that the reconstructed biographies of J.F. Chavez and Nicolás Pino demonstrate that this uniquely positioned Hispanic New Mexican elite simultaneously resisted and adapted to political upheavals in New Mexico in order to maintain their culturally contingent socio-economic status as *patrones*.

To construct an argument about this *rico* community, however, is not a simple task in a territory that was, through the first half of the nineteenth century, largely illiterate.<sup>9</sup> The peripheral position New Mexico occupies in traditional North American histories of the nineteenth century compounds this difficulty. In fact, only one lengthy firsthand Nuevo Mexicano account of this period, the diary of Rafael Chacón, has been found and published. The lack of pre-1900 Nuevo Mexicano primary sources has allowed historians to generalize about a

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<sup>9</sup> Jacqueline Dorgan Meketa describes New Mexico in the first half of the nineteenth century as “an educational wasteland” in her annotations of Rafael Chacón’s diary. See Rafael Chacón, *Legacy of Honor: The Life of Rafael Chacón, a Nineteenth-Century New Mexican* edited by Jacqueline Dorgan Meketa (Albuquerque: University of New Mexico Press, 1986), 47.

varied polity of sixty- to seventy-thousand Hispanic New Mexicans rather than acknowledging the multiple, often contradictory opinions and identities held within one community and even within one individual.

The microhistorical method I propose complicates these generalizations, providing greater understanding of the complexities of the unruly macrohistory of nineteenth century North America, rather than proposing a macro-scale theory into which Hispanic New Mexico must be inserted.<sup>10</sup> I adopt a theoretical framework that takes its greatest inspirations from two sources. Firstly, I use principles of Italian microhistorian Carlos Ginzburg's biographical effort "to extend the historic concept of 'individual' in the direction of the lower classes" in order to distinguish individual personalities among what history has constructed as "indistinct masses."<sup>11</sup> Though Nicolás Pino and J.F. Chavez were highly influential in their local communities, they become indistinguishable parts of a monolithic "New Mexican" or "Hispanic" mass in much scholarship of the nineteenth century.<sup>12</sup> Microhistorical study of these men as individuals helps to avoid painting all of Hispanic New Mexico with this broad brush. These two protagonists also find

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<sup>10</sup> This is particularly evident in Civil War scholarship, where Hispanic New Mexico often adopts the author's opinion on the war. Scholars sympathetic to the Union such as Thompson and Wilson write "the native Spanish-speaking population of New Mexico...was apathetic toward the South at best and decidedly Unionist at worst" (Jerry Thompson and John P. Wilson, introduction to *The Civil War in West Texas and New Mexico: the Lost Letterbook of Brigadier General Henry Hopkins Sibley by Henry Hopkins Sibley* [El Paso: Texas Western Press, 2001], 4). By contrast, Confederate-leaning historians like Texan Donald Frazier argue, "Hispanics in the Southwest seemed receptive to secession overtures. Even if not genuinely cooperative, they were at least indifferent" (Donald S. Frazier, *Blood & Treasure: Confederate Empire in the Southwest*, 1st ed. [College Station: Texas A&M University Press, 1995], 15).

<sup>11</sup> Carlos Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth Century Miller*, trans. John and Anne Tedeschi, 2013 English edition (Baltimore: Johns Hopkins University Press, 1983), xxvii.

<sup>12</sup> E.g. Agnes Laut characterizes all "Spanish ranchers" as holding the same opinion on rail building: "The Spanish ranchers were glad or indifferent. They saw Americano changes blocked" (Agnes Laut, *Pilgrims of the Santa Fe* [New York: Grosslet & Dunlap, 1931], 356); Roxanne Dunbar-Ortiz claims that as early as the 1820s, an undifferentiated "elite of Mexico's northern provinces became parties to US objectives of incorporating the territory into the United States" (*An Indigenous Peoples History of the United States* [Boston: Beacon Press, 2014], 12).

common ground with the sixteenth-century subject of Ginzburg's study in that their "small place in [their] world...wasn't negligible", but has been rendered as such in macrohistorical study.<sup>13</sup>

Secondly, I adapt much of Mexican microhistorian Luís González's method for reconstructing the history of individual villages to the comparatively small, interconnected community of a few thousand Nuevo Mexicano landed elite. As González has written about Mexican villages, this community "se sabe una y distinta (knows it is singular and distinct)" within the vast mosaic of North America.<sup>14</sup> It is this group's dissimilarity from other North American landed elites and its refusal to fit inside a homogeneous U.S. historical narrative that merits its study. I deploy Ginzburg's approach to studying specific individuals in order to reveal the contours of this small, distinct *rico* community using the stories of my two subjects. In telling their stories, I follow Ginzburg's advice "that the obstacles interfering with research in the form of lacunae or misrepresentations in the sources must become part of the account."<sup>15</sup> That is to say, I acknowledge the difficulties of researching two people whose histories have been fragmented, misrepresented, and scattered. There are years during which I can only guess at Pino or Chavez's whereabouts and motivations. This uncertainty, too, must be part of the narrative.

I chose specifically Pino and Chavez, rather than any of the dozen or so upper-class Hispanic New Mexican *patrones* whose names have survived, for three key reasons. Firstly, both had deep roots in the most established population centers of elite Nuevo Mexicano society:

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<sup>13</sup> Ginzburg, *The Cheese and the Worms*, 1.

<sup>14</sup> Luis González, "Introducción a un libro de microhistoria", *Diálogos: Artes, Letras, Ciencias humanas* 4.4 (1968), 24.

<sup>15</sup> Carlos Ginzburg, "Microhistory: Two or Three Things That I Know About It", trans. John and Anne Tedeschi, *Critical Inquiry* 20.1 (October 1, 1993), 28.



Nicolás Pino was a lifelong resident of Santa Fe, while J.F. Chavez was born in and spent much of his life near Albuquerque in Bernalillo County. Their fathers and grandfathers were *patrones* who dominated local politics from their *hacienda* (ranch) built on land given to their forefathers by the Spanish crown.<sup>16</sup> As such, Pino and Chavez made their primary residences on or near these ancestral land grants. Their longstanding positions within two vital *rico* settlements allow me to more easily connect their stories with broader trends in these communities. Even as they maintained roots in northern New Mexico, both frequently crossed state and national borders to regions as distant as New York or as close as Chihuahua, Mexico. Their movement suggests how this specific elite community may have responded to macro-scale geopolitical developments, such as new international borders.

Secondly, both men followed a similar general pattern in their careers—movement from private life before the U.S. Civil War into local and/or federal politics afterwards—but achieved varying degrees of political influence and integration with the encroaching Anglo-American society. This helps identify what skills helped or hindered Hispanic New Mexican in interacting with increasingly Anglo dominated systems of power. Language immediately emerges in their stories as one such skill. As a member of an older, more isolationist generation, Nicolás Pino does not appear to have spoken or written English; this fact required him to rely on his brothers, Facundo and Miguel, to translate for him in legal and military settings.<sup>17</sup> In contrast, the younger J.F. Chavez' bilingualism positioned him as an impromptu interpreter for Nuevo Mexicanos in

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<sup>16</sup> Joséph P. Sanchez, Robert L Spude and Arthur R Gomez, *New Mexico: A History* (Norman: University of Oklahoma Press, 2014), 124; Montoya, 46-48.

<sup>17</sup> Facundo Pino is listed as “agent of Nicolás Pino” and signature of all of Nicolás Pino’s appeals in the court case *Spencer & Grandjean vs. Nicolás Pino* (1853), District Court Records for Santa Fe County, Serial 19662. Box 95, Series V, Folder 34, no. 518-520 (Santa Fe: NMSA).

several official venues.<sup>18</sup> J.F. Chavez enjoyed such a prodigious career in New Mexican government following the Civil War that the constitutional convention of New Mexico named “Chaves County” for him in 1889,<sup>19</sup> while Nicolás Pino has faded into relative obscurity.

Finally, both men commanded enough socio-economic privilege in Nuevo Mexicano society to leave an archival paper trail that includes legal cases, military correspondence, census records, genealogies, anecdotes from Anglo-American visitors, and newspaper articles. I acknowledge that reliance on the archive leaves as many silences as it fills, particularly in the case of socially stratified and, until the turn of the century, largely illiterate New Mexico. Pino and Chavez’s peons, the American Indians they held as slaves, and their female family members leave sparse, obfuscated footprints in written documentation. I do my best to highlight their obscured stories when they appear, but recognize that I cannot tell their full stories with the historical documents I collected.

Where existing scholarship on New Mexico often divorces the U.S.-Mexican War or Civil War-years from the pre-existing socio-political context of the territory,<sup>20</sup> my work treats the broad stories of its two subjects as fundamental to understanding the actions taken by members of the Nuevo Mexicano upper class during these moments of violent disruption. To that end, I move chronologically through the lives of Pino and Chavez, placing special emphasis on their interactions with political and military power during periods of tumultuous change. The

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<sup>18</sup> According to Rafael Chacón, Chavez translated Chacón’s patriotic speech at the camp of Ojo del Pescado in November, 1863. See Chacón ed. Meketa, 249.

<sup>19</sup> Mark Thompson, “Who Killed José Francisco Chavez?”, New Mexico Office of the State Historian website, accessed Jan 21, 2018, <http://newmexicohistory.org/people/who-killed-José-francisco-chaves>.

<sup>20</sup> For example: Frazier, *Blood & Treasure*; Ray Charles Colton, *The Civil War in the Western Territories: Arizona, Colorado, New Mexico, and Utah* (1959); Martin H. Hall, “Native Mexican Relations in Confederate Arizona, 1861-1862”, *The Journal of Arizona History* 8.3 (Oct 1, 1967): 171-178.

narrative does not start or end with either war because the lives of Nicolás Pino and J.F. Chavez did not start or end with them. Instead, these are two stories about the lifelong efforts of two men to maintain a uniquely Nuevo Mexicano elite identity in what they considered to be their country, even as that country was increasingly overrun.

### I. “A populace of soldiers”, 1819 - 1848.<sup>21</sup>

Between 1821 and 1848, three different Western empires claimed the lands bounded roughly by the Colorado River on the west, the highest peaks of the Rocky Mountains on the north, the flat plains of modern-day Texas on the east, and the southern vein of the Rio Grande on the south: the region known since the founding of its first Spanish settlement in 1598 as “Nuevo México.”<sup>22</sup> The province’s arid desert in the south, difficult mountainous terrain in the northeast, landlocked borders, and lack of extractable gold resources relegated Nuevo México to an isolated backwater of the Spanish empire, governed primarily by its own small group of elites far from the centers of imperial control. The circumstances of New Mexico’s earliest colonization thus gave rise to the unique *patrón* tradition within which Pino and Chavez situated themselves.

Most essential to the development of Hispanic New Mexican society were the dozens of American Indian peoples who dwelled in the Southwest, some of whom claimed roots in Nuevo

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<sup>21</sup> From Chacón ed. Meketa, 185-186: “They [Hispanic New Mexicans] have fought and died, always with the faith that it was necessary for them to defend their hearths...they soon raised among their sons a populace of soldiers by nature intelligent, intrepid, valiant, and lovers of their country and of liberty.”

<sup>22</sup> Early colonial history of the region from John Francis Bannon, *The Spanish Borderlands Frontier 1513-1821* (New York: Holt, Rinehart and Winston Inc., 1970), 5-48. For a non-Western empire’s claim to this land both before and after this period, see Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2008).

México that stretched back to 2100 B.C.E. Among them were the various Pueblo communities along the northern Rio Grande, the powerful Comanche Empire in the Plains to the west, numerous Apache groups in the territory's south, and the Diné (Navajo) in the canyons and mountains to the northwest. The Diné, Zuñi Pueblo, Jicarilla Apache, and Mescalero nations still exist on federal reservation territory within the present-day U.S. state of New Mexico.<sup>23</sup> These indigenous peoples were central to the political, economic, and military identity of Hispanic New Mexico for all its history. While the Pueblo peoples had settled in sedentary agricultural communities with mixed Hispanic and indigenous populations by the nineteenth century, Navajo and Apache communities remained largely autonomous in their politics and economies. Both subsisted on a mix of agriculture, trade with Nuevo Mexicanos, and what one Union officer classified as “depredations” on Hispanic New Mexican settlements.<sup>24</sup>

For decades prior to the U.S. annexation of the territory, Native leaders like Mangas Coloradas of the Chiricahua Apaches engaged in conflict with the Mexican government and its settlements. Mangas Coloradas and his forces fought against the seizure of land and the murder of Apache men for scalp bounties, often playing U.S. and Mexican interests against each other through treaty-making in order to secure the greatest degree of safety and autonomy for his people.<sup>25</sup> Navajo groups, concentrated in the northern part of the territory, had also operated under conditions of intermittent warfare and peacemaking with the Spanish and Mexican

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<sup>23</sup> Dunbar-Ortiz, 11-12, 21-23. For a map of American Indian lands circa 1780, see Brooks, *Captives and Cousins*, 41.

<sup>24</sup> See Lt. Col. J.H. Eaton, “Description of the True State and Character of the Tribes of New Mexico,” August 3, 1853, in *Historical and Statistical Information Respecting the History, Condition and Prospects of the Indian Tribes of the United States*, vol. 4, ed. Henry Rowe Schoolcraft (Philadelphia: Lippincott, Grambo and Co., 1857) for one such pre-war report.

<sup>25</sup> Edwin R. Sweeney, “Mangas Coloradas”, *American National Biography* online, Oxford University Press, February 2000, <https://doi.org/10.1093/anb/9780198606697.article.2000627>, accessed March 14, 2018.

governments as well other American Indian nations for centuries. One Navajo leader, Zarcillos Largos, complained of the intrusion of U.S. outsiders into this longstanding conflict during U.S. annexation, classifying it as, “a war we had begun long before you [Americans] got here.”<sup>26</sup> During the latter half of the nineteenth century, they continued to retaliate against raids on their communities by Hispanic New Mexicans as well as Comanches and fight the expropriation of their land by U.S. policies.

Nuevo Mexicanos also saw the centuries-old conflict between themselves and indigenous peoples as essential in shaping their unique identity. For this reason, diarist Rafael Chacón proudly called his people “a populace of soldiers.”<sup>27</sup> From the earliest days of settlement, the *patrones* led this populace in its conflict, negotiation, and warfare with Native groups.

Following the establishment of the first Spanish outpost in 1598, a small population of Spanish *criollos* and *mestizos* (approximately 3,000 in 1700) settled the province throughout the 17th and 18th centuries; it was to these first Spanish settlers that the Hispanic New Mexican elites traced their origins.<sup>28</sup> From its inception, the resource-poor, landlocked Nuevo México stood at the fringes of Spanish imperial control. In the absence of Spanish bureaucratic and military power, the original conquistador families that composed the *rico* class came to govern local affairs, particularly relationships with Native peoples, independent of a centralized state.<sup>29</sup>

Consequently, Nuevo Mexicanos developed their own forms of intercultural violence and exchange with indigenous groups; these included religious and economic transfer, treaty-making,

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<sup>26</sup> Zarcillos Largos, 1846, quoted in Peter Iverson, *Diné: a History of the Navajos* 1st edition (Albuquerque: University of New Mexico Press, 2002), 39.

<sup>27</sup> Chacón ed. Meketa, 185.

<sup>28</sup> Robert Galgano, *Feast of Souls: Indians and Spaniards in the Seventeenth-Century Missions of Florida and New Mexico* (Albuquerque: University of New Mexico Press, 2005), 2.

<sup>29</sup> On New Mexico’s “relatively long freedom from control by western centers of power,” see Brooks, 32-33.

human captive exchange and enslavement, and more traditional acts of war, such as militia raids. Without royally appointed bureaucrats, the responsibility for providing the leadership and material resources necessary to carry out warfare or diplomacy with American Indians fell to the wealthiest men of the community, the *patrones*. The *patrón*'s role in conflict solidified by the nineteenth century as not only vital to the survival of their communities, but as the highest expression of the masculine honor that undergirded their socio-economic status.

The prominent families of New Mexico—including the Chavez and Pino lineages—claimed their origins in these early conquistador-settlers, inheriting the privileges and responsibilities of *patronismo* from

them. A 1920 letter from J.M.C. Chavez Jr. informed New Mexican historian

Ralph Twitchell of at least seven generations of the Chavez family

descended from Don Fernando Duran y

Chavez, “Head of the Army of New

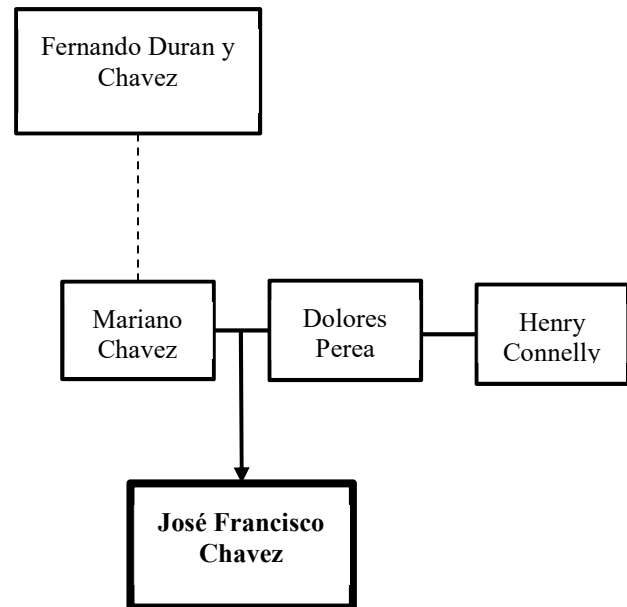
Mexico; Conquistador, and Re-

Conquistados [*sic*],<sup>30</sup> of New Mexico.”

His genealogy identified José Francisco

Chavez as the great-great-great grandson

of this early conquistador.<sup>31</sup> Nicolás



Condensed genealogical tree of José Francisco Chavez by author.

Genealogy from Mariano Chavez Papers in Ralph E. Twitchell Collection, New Mexico State Archives & Records

<sup>30</sup> This word was intended to be written “reconquistador”, or “reconqueror.” The reconquerors in New Mexican history refer to the Spaniards who, under Diego de Vargas, retook the royal province of New Mexico from American Indian control following the Pueblo Revolt of 1680. See Bannon, 79-91.

<sup>31</sup> José Maria Chavez Jr. to Ralph E. Twitchell, letter, March 16, 1920, José Maria Chavez Papers, serial 8474, series 9, folder #151, Ralph Emerson Twitchell Collection, serial 8472, accession 1959-209 (Santa Fe: NMSA).

Pino claimed similar ancestry.<sup>32</sup> A lengthy genealogy sent to Twitchell in 1909 describes, “In the Year 1693, there came to New Mexico, with the Reconquistador Diego de Vargas Zapata Lujan, Captain Nicolás Ortiz Niño Ladrón de Guevarra.” According to the genealogy, Nicolas Pino’s mother, Ana Maria Baca, was Ortiz Niño Ladrón de Guevarra’s great-great-great granddaughter on her mother’s side.<sup>33</sup> This centuries-old Spanish heritage provided the basis for the wealth of prominent families. The first conquistadors received some of the most valuable land grants, also called *mercedes*, from the Spanish crown for their service in conquering the far-off northern reaches of the empire. Socially, Spanishness justified the powerful position of families like the Chavez and Pino clans.<sup>34</sup> In both Hispanic New Mexican and, later, Euro-American discourse, this “civilized” European blood made *ricos* worthy of self-governance and land ownership, distinguishing them from what Hispanic New Mexican memoirist Rafael Chacón called the “savage nations” of North America as well as from the debt peons and enslaved Indians who worked their land grants.<sup>35</sup>

Given their independence from Spanish metropolitan power, comparatively little changed in Nuevo Mexicano political and cultural life when Mexico declared its independence from Spain in 1821. Economic shifts did begin in urban centers such as Santa Fe when the Mexican government removed a Spanish embargo on international trade, permitting Anglo merchants to

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<sup>32</sup> Nicolás Pino’s parents identified in AASF, Santa Fe Baptisms, Reel 16, Frame 402, NMSA Reference Card: “Nicolás de Jesús Pino, baptized Dec. 6, 1819, legitimate son of Pedro Pino and Ana María Baca. Padrinos: Juan Rafael Ortiz and Gertrudis Pino.”

<sup>33</sup> “Genealogy of the Pedro Baptista Pino,” Ralph Emerson Twitchell Collection, serial 8472, accession 1959-209, Ortiz Family Papers, Folder #173 (Santa Fe: NMSA).

<sup>34</sup> For Spanishness in opposition to Indianness, see Martha Menchaca, “Chicano Indianism: A Historical Account of Racial Repression in the United States”, *American Ethnologist* 20.3 (August 1, 1993), 583-603. For Spanishness as a political tactic in post-annexation New Mexico, see John M. Nieto Phillips, *The Language of Blood: The Making of Spanish-American Identity in New Mexico, 1880s-1930s* (Albuquerque: University of New Mexico Press, 2008).

<sup>35</sup> Chacón ed. Meketa, 185.

move new goods through northern Nuevo Mexicano towns on their route to Chihuahua along the “Santa Fe Trail.”<sup>36</sup> It was in this growing mercantile network that Pino and Chavez became employed in their late adolescence. In 1821, however, Nicolás Pino was an infant, born in Santa Fe in 1819. He was the eldest son of the wealthy, politically influential Pino clan.<sup>37</sup> José Francisco Chavez would not be born for another twelve years. For the next two decades of Mexican rule, Nuevo México continued much as it had under Spain: education remained severely limited, and herding sheep across vast Spanish land grants still proved the most profitable occupation in a relatively poor area. Attacks on and by Indian groups, primarily the Comanches and Apaches, continued to wrack the region with violence that perpetuated the capture and exchange of both Indian and Nuevo Mexicano women and children as slaves.<sup>38</sup>

José Francisco Chavez was born into this distinct world in 1833, in Bernalillo County’s Los Padillas. After receiving his primary religious education in Chihuahua, the eight year-old José Francisco departed New Mexico to study at St. Louis University in 1841, where he

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<sup>36</sup> For a general synopsis of the continuity of lifeways and culture, see Sánchez et. al, 74-82. On Mexican maintenance of Spanish land grant policies, see Montoya, 47-48. On the continuation of Indian slave exchanges and other unregulated borderlands markets, see Brooks, 234-247. On the growth of U.S. trade and Anglo influence after 1821, see Ramón A. Gutiérrez, *When Jesus Came, the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* (Stanford: Stanford University Press, 1991), 337-340, and Brooks, 215-216; for the impact of this trade on Nuevo Mexicano women in Santa Fe, see Montoya, 12-13. Note that, even as Ramón Gutiérrez discusses the impact of U.S. traders and goods on New Mexico, he says that “political independence meant very little for how New Mexicans organized their lives” (337).

<sup>37</sup> “Nicolás Pino”, AASF, Santa Fe Baptisms, Reel 16, Frame 402, NMSA Reference Card.

<sup>38</sup> Meketa, commentary on Chacón, 61-62. On Spanish colonial economics in New Mexico, see Ramón Gutiérrez, 300-305. For the post-1821 increase in raids on Hispanic New Mexican settlements by Comanches, Apaches, and other Indian nations, see Brian DeLay, “Independent Indians and the U.S.-Mexican War,” *American Historical Review* 112, 1 (2007), 40-45. I argue that, while this violence increased after Mexican independence in accordance with DeLay’s thesis, it did not fundamentally alter a Nuevo Mexicano political and social structure that had always experienced and perpetrated warfare with American Indians.



remained until 1846.<sup>39</sup> It was during this departure for the east that Mariano Chavez reportedly warned his son of the coming of the English-speaking heretics to their native land.

Less than six months later in Santa Fe, Nicolás Pino married Juana Rascón on February 16th, 1842.<sup>40</sup> Pino was twenty-two years-old. Juana's age is more difficult to pinpoint. U.S. censuses indicate that Juana was born in "El Paso, Mexico" between 1820 and 1830, implying that she was between twelve and twenty-two years-old at the time of her marriage.<sup>41</sup> "El Paso" refers to what is now El Paso, Texas, but would have been Mexican territory at the time of Juana's birth. Her parents were also born in Mexico, in the northern state of Chihuahua.<sup>42</sup> It is possible that the couple met while the young Nicolás traveled as a merchant along established caravan routes to northern Mexico. Pino's lifelong marriage to Juana Rascón contrasts with the marriages of other elite Nuevo Mexicanos. The Rascón family, rooted in Mexican Texas and northern Mexico, appears to have had little connection to the group of conquistador-descended Nuevo Mexicanos that dominated Santa Fe.<sup>43</sup> Perhaps the couple married for love, though without personal writings by either party, it is impossible to know. Whatever their motives, their marriage complicates scholarly assumptions about the social isolation of Hispanic New Mexican

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<sup>39</sup> Jerry Thompson, *Civil War History of the New Mexico Volunteers and Militia* (Albuquerque: University of New Mexico Press, 2015), 3 and "José Francisco Chavez", *Hispanic Americans in Congress 1822-1995*.

<sup>40</sup> Reference card at NMSA, from AARF, Santa Fe Marriages, reel 31, frames 861-862.

<sup>41</sup> Juana Rascón's reported age fluctuates with each census in a way that Nicolás Pino's does not. The 1850 U.S. Census recorded her as being twenty years-old, placing her birth year in 1830 (City of Santa Fe, dwelling #1262, p. 352.). In 1860, federal census takers indicated that she was thirty-two, making 1828 her birth year (Village of La Cienega, dwelling #1037, p. 136). The 1880 U.S. Census put her age at 60 years (Galisteo, precinct NW 8, dwelling #1, p. 103), while the 1885 Territorial Census reported that she was still 60 years-old five years later (Galisteo, dwelling #1, p. 4).

<sup>42</sup> 1880 U.S. Census, Residents of Galisteo town, precinct NW 8, Santa Fe County, New Mexico Territory, dwelling #1, p. 103.

<sup>43</sup> These aristocratic families included the Chavez, Perea, Luna, and Otero lineages, most of whom intermarried to further political and economic fortunes (see Sanchez et. al 120-129).

elites by demonstrating that, even preceding annexation, men like Pino traveled widely. In this travel, they married women outside their local circle of power, creating kinship ties that stretched across provincial and national borders. Pino would call upon Juana's ties to the northern Mexican state of Chihuahua following the U.S.-Mexican War.

The 1850 federal census of the Pino family gives insight into the position of other elite women in Hispanic New Mexican society. That year, nine people including Juana and Nicolás lived in a large Santa Fe home. This property was owned not by Nicolás, the eldest son, but by his widowed<sup>44</sup> mother, Ana María Baca. The census lists her as "head of household" and notes her real estate value at 20,000 U.S. dollars, or approximately \$634,000 in 2016.<sup>45</sup> This real estate was most likely one of the more than three hundred large parcels of land granted by the Spanish crown between 1692-1821.<sup>46</sup> The ownership of this considerable amount of property by Pedro Pino's widow, rather than his sons, supports Joseph Sánchez's argument that "women of New Mexico were more independent than their counterparts in the eastern states" due to their rights to divorce and to own property under their own name.<sup>47</sup> Firsthand accounts of Nuevo Mexicano women like Ana María prove even more scarce in the nineteenth century archive than those of their male counterparts. Despite this, what may be reconstructed suggests that *rica* women like

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<sup>44</sup> Pedro Pino's absence from the 1850 Census implies he was deceased, as it would have been unlikely that such a prominent male member of the household would have been left out of the recording if he had been living. My research was unable to locate a gravestone or death certificate to confirm the exact year of his death.

<sup>45</sup> 1850 U.S. Census, New Mexico Territory, dwelling #1262, p. 352. Relative currency value calculated from Samuel H. Williamson, "Seven Ways to Compute the Relative Value of a U.S. Dollar Amount, 1774 to present," *MeasuringWorth*, accessed February 12, 2018. <https://www.measuringworth.com/uscompare/index.php>

<sup>46</sup> Sanchez et. al, 44-46.

<sup>47</sup> Sánchez et. al, 125. For more on Nuevo Mexicano women in Santa Fe, see Deena J. González, *Refusing the Favor: the Spanish-Mexican Women of Santa Fe, 1820-1880* (New York: Oxford University Press, 1999).

Ana María, the counterparts of their *patrón* husbands, also held significant local power based on wealth and ancestry.

For both men and women of Hispanic New Mexico, the summer of 1846 brought significant changes. The outbreak of the U.S.-Mexican War and the arrival of United States troops in relatively isolated Nuevo Mexicano lands signaled the beginning of Hispanic New Mexican elites' encounters with U.S. colonial power.<sup>48</sup> In June of that year, General Stephen Watts Kearny's seventeen hundred U.S. troops arrived in the Southwest to enforce Congress' paper claim on New Mexico.<sup>49</sup> At the time, the thirteen-year-old José Francisco Chavez was hundreds of miles from his family, pursuing an education in the U.S.<sup>50</sup> Nicolás Pino turned twenty-seven that year. While his occupation as a merchant and rancher in Santa Fe did not directly involve him with New Mexico's territorial government, his family's wealth and Spanish heritage afforded him and his brothers the privileges and responsibilities of *patrones*. Positioned as such, Nicolás Pino advised New Mexico's governor at the time, Manuel Armijo, to resist the incursion of General Kearny's U.S. troops.<sup>51</sup> Instead, Governor Armijo's militias surrendered to Kearny's forces at the Battle of Santa Fe without firing a shot. With considerable American military force behind him, Kearny entered Santa Fe and established a new civil government for the subdued territory. The system left local politics in the hands of the Nuevo Mexicano

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<sup>48</sup> The conflict served as President James K. Polk's justification for the acquisition of Mexican lands; these would help to fulfill American dreams of a coast-to-coast U.S. empire, made wealthy by the expansion of cash crop plantations predicated on chattel slavery. See Mark Joseph Stegmaier, *Texas, New Mexico and the Compromise of 1850* (Lubbock: Texas Tech University Press, 2012), 17-62 for specifics of the political negotiations surrounding slavery and territorial status of New Mexico in the U.S. Congress.

<sup>49</sup> Sánchez, 101-104 and Stegmaier, 18-19.

<sup>50</sup> "José Francisco Chavez", *Hispanic Americans in Congress 1822-1995*.

<sup>51</sup> Jerry Thompson, *A Civil War History of the New Mexican Volunteers and Militia*, 58.

*patrones* who had controlled regional affairs for decades, but gave them only three of the nine territorial government posts.<sup>52</sup>

In response to the annexation, Nicolás Pino joined the “*Junta Revolucionaria*” or “*Junta de Conspiradores*” to plan a revolt against the new Anglo-dominated territorial government in December 1846. Though his motivations to revolt were not recorded, the annexation posed a direct threat to the sovereignty of *ricos* like himself over their ancestral land grants and territorial politics.<sup>53</sup> It is likely that this danger motivated Pino and other *patrones* to check U.S. incursions on their spheres of socioeconomic power. An early twentieth-century account (ca. 1900-1909) of the “conspiracy” named Nicolás Pino as one of “the most prominent” members of the Junta, which met in Pino’s hometown of Santa Fe.<sup>54</sup> Before their revolt could be successfully executed, however, two “*traidores* (traitors)” revealed the plot to U.S. officials. “When they found out that the conspiracy was given,” most of the Junta’s leadership “away fled from the city”, forcing the Junta to postpone their revolutionary actions until the following year. Nicolás Pino and another conspirator, unable to flee Santa Fe, were “arrested and taken with the American forces to aid them therein the outbreak.”<sup>55</sup> American marshals then compelled Pino to take an oath of allegiance to the United States.<sup>56</sup>

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<sup>52</sup> Sanchez, et. al, 104-108.

<sup>53</sup> Montoya, 47-49.

<sup>54</sup> This three page typed account, along with a handwritten list of the members of the “Junta”, is collected in the Ortiz Family Papers, Ralph Emerson Twitchell Collection, serial 8472, accession 1959-209. Though the account is undated, the list accompanying it is written on hotel stationery from The Palace in Santa Fe; the stationery includes a template for the date: “190\_\_”, leading me to conclude that the account must also have been written between 1900 and 1909. The handwritten signature on the document is illegibly faded, but the incorporation of Spanish words and grammar suggests the author spoke Spanish as their first language.

<sup>55</sup> “La Junta Revolucionaria, o la Junta de Conspiradores”, 1. Ortiz Family Papers, Ralph Emerson Twitchell Collection, serial 8472, accession 1959-209.

<sup>56</sup> Jerry Thompson, *Civil War History of the New Mexico Volunteers and Militia*, 58.

By January 1847, the Junta de Conspiradores regrouped and initiated violence in the city of Taos, where a group of Nuevo Mexicanos and Pueblo Indians successfully assassinated newly appointed U.S. governor Charles Bent. General Kearny's successor enlisted Nicolás Pino's aid in subduing this "Taos Revolt."<sup>57</sup> Approximately two thousand New Mexican residents confronted U.S. forces en route to Santa Fe at the end of January 1847 but were rapidly broken up by cannon fire while U.S. forces destroyed nearby Nuevo Mexicano homes and ranches. After two more unsuccessful uprisings that year, four hundred New Mexicans had died in the conflict.<sup>58</sup> The handwritten note included with a typed account of these events lists fourteen men of the "Junta" who participated in the "Grito en Taos (Proclamation at Taos)", among them "M.E. [Miguel E.] Pino" and "Facundo Pino". Though no writing by Nicolás has been found regarding these events, one can imagine that his forced betrayal of the conspirators must have been difficult; Miguel and Facundo were Nicolás's only two living brothers.<sup>59</sup> Nicolás's conflict between political and personal loyalties, while painful, was certainly not unique to the Pino family nor to the 1846-47 revolts. Kinship bonds, whether of blood, religion, or economic patronage, served as the basis for socio-political status in New Mexico while simultaneously creating conflicts and influencing how Nuevo Mexicanos in official positions executed their duties. The intricate connections between the small number of the region's *rico* families created a political climate that was inherently personal from the earliest days of settlement.

All three of the Pino brothers lived through the violence of the U.S. Mexican War to emerge as residents of a new U.S. territory. After a U.S. military tribunal hanged one of the

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<sup>57</sup> Jerry Thompson, *Civil War History of the New Mexico Volunteers and Militia*, 58.

<sup>58</sup> Sanchez, et. al, 109. This death total may or may not include indigenous people in New Mexico, such as the Pueblo, who participated in these revolts as well.

<sup>59</sup> See "Genealogy of the Pedro Baptista Pino", Ortiz Family Papers, NMSA.

leaders of the 1847 uprising, military authorities transferred the fifty remaining New Mexican prisoners of war to the newly-formed territorial civil court system, where most were acquitted.<sup>60</sup> The younger Pinos, Facundo and Miguel, seem to have been among those exonerated.<sup>61</sup> Furthermore, census records imply that, despite their elder brother's betrayal, Nicolás and his younger brothers remained close. In 1850, Facundo and Nicolás lived in their mother's home in Santa Fe, with Miguel next door.<sup>62</sup> In 1863, Nicolás named one of his sons "Facundo", presumably after the child's uncle.<sup>63</sup> Perhaps Facundo forgave Nicolás for his actions during the revolt, understanding the tremulous political lines upon which Nuevo Mexicano *patrones* walked during times of crisis as they tried to ensure their own survival while also contesting U.S. incursion on their socio-economic power. The Pino brothers and other prominent Nuevo Mexicanos had tried and failed to resist the colonial threat to this power through violence. In this failure, the unity of their family proved more important to maintaining their wealth and influence than Nicolás Pino's coerced allegiance to the United States. The *Junta de Conspiradores* had proved that armed resistance to the U.S. was not a practicable option. As such, *rico* families led by *patrones* like Nicolás Pino and José Francisco Chavez changed their tactics following annexation, opting to use both the U.S. legal system and interpersonal integration with newly-arrived Anglo-American elites as means to retain their status within Hispanic New Mexican society.

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<sup>60</sup> For the Taos Revolt and legal repercussions, see Laura Gómez, *Manifest Destinies: The Making of the Mexican American Race* (New York: New York University Press, 2007), 53-74 and Sánchez, et. al, 109-110.

<sup>61</sup> I conclude this because both participated in the U.S. Civil War two decades later, which they could not have done if imprisoned or executed.

<sup>62</sup> 1850 U.S. Census, City of Santa Fe, dwelling number #1262, p. 352.

<sup>63</sup> 1860 U.S. Census, Galisteo, precinct NW 8, dwelling #1, p. 103.

## II. “May the old laws remain in force”, 1848-1860.<sup>64</sup>

In 1848, the Treaty of Guadalupe Hidalgo ended the U.S.-Mexican War and annexed over a third of Mexico’s former land to the United States, including New Mexico. The treaty’s position on Nuevo Mexicano citizenship and property rights looked favorable to Hispanic New Mexican elites like Pino and Chavez. Non-Native residents<sup>65</sup> of the new territory would become U.S. citizens by default unless they explicitly “declare[d] their intention” to remain Mexican citizens within one year of the treaty’s ratification.<sup>66</sup> The political implications of U.S. citizenship were valuable to Nuevo Mexicano elites. It was citizenship that conferred the right to vote in local elections and hold public office, allowing *patrones* to continue to dominate local politics through electoral demographics (in 1850, ninety-two percent of the territory’s sedentary population was Hispanic).<sup>67</sup> As important for the *patrón* identity, the treaty also affirmed Nuevo Mexicano land ownership rights, dictating that “Mexicans now established in territories...shall be free to continue where they now reside...retaining the property which they possess in the said territories.”<sup>68</sup> This clause allowed landed elites like Pino and Chavez to maintain the vital foundation of their economic power: inherited land grants. Even as their lands and electoral

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<sup>64</sup> “Que las leyes antiguas continuen vigentes...” Charles Beaubien, et. al, “A Nuestros Ciudadanos de N.M. (Circular to the People of New Mexico on Statehood)”, 1850, Ralph Emerson Twitchell Collection, serial 8472, accession 1959-209, series 4, Territorial Papers, No. 237, Folder 67 (Santa Fe: NMSA).

<sup>65</sup> For issues of American Indian citizenship in Mexico versus in the United States, see Menchaca, “Chicano Indianism.”

<sup>66</sup> N.P. Trist, Luis P Cuevas, Bernardo Couto and Migl Atristain, article VIII, *Treaty of Guadalupe Hidalgo* (Washington, D.C.: NARA), July 4, 1848, transcription by the Avalon Project at Yale Law School, <https://www.ourdocuments.gov/doc.php?flash=false&doc=26>.

<sup>67</sup> Sánchez et. al, 122-123.

<sup>68</sup> N.P. Trist et.al, article VIII, *Treaty of Guadalupe Hidalgo*.

control remained in-tact, however, the political and cultural landscape around them began to change. The end of the U.S.-Mexican War imposed new borders and citizenships upon a Hispanic New Mexico that had been separated from imperial metropolitan politics since the seventeenth century. The experiences of Nicolas Pino and J.F. Chavez during this transitional period reveal certain complications of Nuevo Mexicanos' liminal status between "citizen" and "foreigner". Their responses to this status suggest possible adaptations of Nuevo Mexicano elites to new international borders and Anglo-American institutional power.

An 1852 civil lawsuit against Nicolás Pino makes clear that, for one elite family, the new Mexican border became porous in the face of pre-existing regional kinship networks. The case further demonstrates how Pino, like other monolingual Hispanic New Mexicans, relied on familial resources to navigate language barriers. *Spencer & Grandjean vs. Nicolas Pino* was filed in February of 1852 in Santa Fe.<sup>69</sup> In 1852, the merchant firm of Charles Spencer and Henry Grandjean—whose stationary identified them as “Wholesale Importers of Fancy and Staple Goods, Watches, Jewelry and Music Boxes”<sup>70</sup>—filed suit against Pino for evasion of a two hundred dollar debt incurred by the latter in August of 1851. The plaintiffs alleged that Pino was now a resident of Chihuahua, Mexico<sup>71</sup>—the state where his wife Juana and her family originated—yet claimed his property in Santa Fe as damages. Upon investigating the case, the federal marshal of the territory found that Nicolás Pino and Juana had migrated across the

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<sup>69</sup> All information and quotations regarding the case from the case file *Civil Case 550a. Spencer & Grandjean vs. Nicolas Pino (1852)*, District Court Records of Santa Fe County, serial 19662, box 95, series V, folder 34, no. 518-520 (Santa Fe: NMSA). Individual letters cited according to their authors and date, but the full citation for the collection is not given to avoid redundancy.

<sup>70</sup> This heading found on a receipt from Spencer & Grandjean given to a Maj. Col. Wingfield, Indian Agent on November 6, 1852 in Santa Fe for “one fine Spanish riding saddle”. Michael Steck Papers, University of New Mexico University Libraries website, <https://nmstatehood.unm.edu/node/69045>, accessed Sept. 16, 2017.

<sup>71</sup> Spencer and Grandjean to Judge Grafton Baker, March 10, 1853. *Civil Case 550a*.



Mexican border sometime after 1848, leaving the Santa Fe property in the hands of Nicolás's younger brothers, Miguel and Facundo Pino.<sup>72</sup> It was they who received the marshal and later served as agents of their elder brother by writing letters in English to the court. As such, Nicolás depended on his close kin to serve as translators and advocates for him in the newly Anglicized territorial courts. In the environment of New Mexico, which lacked a public education or robust translation system, these social resources became critical not only for Nicolás Pino, but for the thousands of Nuevo Mexicanos who did not speak the English necessary to navigate Anglo bureaucracy. The search for unofficial translators continued through the nineteenth century.<sup>73</sup>

Nicolás Pino's reported migration from New Mexico to Mexico may be due to several factors, including a desire to escape payment of his debt, an avoidance of other Santa Fe elites whom he had betrayed in 1848, or travel for his occupation as a merchant.<sup>74</sup> Given his wife's familial connection to the Mexican state of Chihuahua, I posit that Nicolás and Juana moved to Chihuahua, possibly to the home of Juana's parents, semi-permanently after 1848. This conclusion is supported by the place and date of the birth of one of Nicolás and Juana's eldest daughters, Margarita. According to the 1880 U.S. Census, Juana gave birth to a daughter in Chihuahua, Mexico, rather than New Mexico, in 1850.<sup>75</sup>

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<sup>72</sup> John Jones to Judge Grafton Baker, Feb. 16th, 1853. *Civil Case 550a*.

<sup>73</sup> The U.S. Congress did establish New Mexico courts to have two official Spanish-English translators in 1850; one was to handle court proceedings and the other to translate for jurors (Gómez, 67). Whether these translators were employed in the Santa Fe District Court for Pino's case, however, remains unclear; no note of an official translator exists in the case documentation.

<sup>74</sup> This occupation is listed in the 1850 U.S. Census, but would change in the 1860 Census, when he was described as a "farmer."

<sup>75</sup> The daughter was Margarita Pino. 1880 U.S. Census, Residents of Galisteo town, precinct NW 8, Santa Fe County, New Mexico Territory, household#1, p. 103.

The Pino family's movement between the U.S. and Mexico suggests that the Treaty of Guadalupe Hidalgo's newly created national border had varying and occasionally nominal impacts on the everyday geographies of elite Nuevo Mexicanos in the first years of its existence.<sup>76</sup> Despite what political maps dictated, trade and migration across the new frontier continued largely unrestricted by any federal oversight in the decade following the treaty. Their travel therefore reveals an important distinction between the macrohistory, which informs that borders suddenly emerge at a specific political moment, and the microhistorical experience of borderlands residents whose lives did not conform to the maps drawn up hundreds of miles away. This was particularly the case for an elite family like the Pinos, whose mobility created a kinship network that stretched beyond a single village and across international boundaries into Chihuahua.

After the marshal's investigation, more parties came before the court, including Nicolás and his agent, Facundo Pino. They not only refuted the charges against Nicolás, but attempted to use extant structures of the legal system to obtain a fair trial. This shows that the Pino brothers, like many other Hispanic New Mexican elites, had familiarity with the civil law system of the territory, even as it became more dominated by English-speaking outsiders. On March 24th, Facundo argued for a change of venue on the grounds of bias in Santa Fe: "Facundo Pino ...saith that he belives [*sic*] that Nicolas Pino...cannot have justice done him in the County of Santa Fe...for the reason that the people of the County are preoccupied to such an affect in favor of Plaintiff and against Defendant that a jury cannot be obtained so that he can have a fair and

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<sup>76</sup> On crossings between the border towns of Las Cruces and Mesilla as a case study in "making the border meaningful" (67) where it had not existed before 1848 see Anthony P. Mora, *Border Dilemmas: Racial and National Uncertainties in New Mexico, 1848-1912* (Durham: Duke University Press, 2011), 66-102. On continuing unimpeded crossing of the new border by the Comanches in the 1840s, see Hämäläinen, 223-232.

impartial trial in the said county of Santa Fe.”<sup>77</sup> The two county clerks swore under oath that Facundo’s complaint of bias was true.<sup>78</sup>

Neither Facundo nor the court clerks elaborated on why a jury in Santa Fe would have been prejudiced against Nicolás and toward Spencer & Grandjean. A broad macrohistorical view might explain the case through an ethno-racial dichotomy between Anglo-Americans and Nuevo Mexicanos, attributing one position in favor of Nicolás Pino to all Hispanics and another position against him to all Anglos. This conclusion, however, ignores the complexities of New Mexican social and political relationships. Close investigation reveals two problems with this reductive approach. First, juries in local courts continued to be drawn from both Hispanic and Anglo citizens of the territory, and often did find in favor of Nuevo Mexicanos against Anglos.<sup>79</sup> Secondly, of the two court clerks who testified in favor of bias against Pino, one had a Spanish name (Mauricio Durán) and one an English name (J.A. Mink). We must therefore examine economic interest and other forms of social power that layered on top of ethno-racial identities. Perhaps Charles Spencer’s clerkship with the Santa Fe county court and his mercantile wealth, along with debts he may have held against other Santa Fe residents, placed him in a greater position of social and economic power over both Anglo and Hispanic jurors. By contrast, Nicolás Pino’s shifting allegiances during the U.S.-Mexican War may have isolated him from elite New Mexican society, a conclusion supported by his sudden move to Chihuahua. Unfortunately, the New Mexican State Archives case file contains no documents dated after this request for a change of venue nor a transcript of a trial, if one occurred. I conclude that the case

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<sup>77</sup> Sworn statement by Facundo Pino, March 24th, 1853, in Santa Fe County court. *Civil Case 550a*.

<sup>78</sup> Sworn statement by J.A. Mink and Mauricio Duran, March 24th, 1853, in Santa Fe County court. *Civil Case 550a*.

<sup>79</sup> Gómez examines the autonomy of mainly Hispanic New Mexican local courts in the context of the trial of the Taos conspirators in *Manifest Destinies*, 59-74.

was dismissed or settled when, in March 1853, Spencer & Grandjean produced the notice of debt given and signed by Nicolás Pino to the merchants in “Santa Fe, August 14th de 1851” to be paid “on demand or order the sum of two hundred dollars.”

Eight years later, the 1860 census of Nicolás Pino’s household suggests that any settlement that he did pay did not affect the traditional indicators of his *patrón* wealth. By 1860, Pino had returned to the territory and settled down as an *hacendado* in the Santa Fe county town of Galisteo. There, the U.S. census listed him as a “farmer” with a total estate value of \$4000 U.S. dollars. As proof of his culturally specific patriarchal authority over Native women and children, Nicolás Pino held five “servants” in his *hacienda*, at least two of whom were Indian women.<sup>80</sup> The younger, Vicenta, was an eighteen-year-old woman of the Mohave people. The elder, Rosario, had been a servant in Nicolás’s mother’s home in 1850, moving to Nicolás’s new *hacienda* by 1860. She was twenty-five years-old and identified as “Payuche”, most likely an English-speaker’s corruption of the Spanish pronunciation of “Paiute.”<sup>81</sup> As Brooks has identified, enslaved Indian women like those in Pino’s ranch “symbolized social wealth” and “performed services for their masters”.<sup>82</sup> Both functions situated Nicolás Pino as a dominant *patrón* within the centuries-old system of borderlands slavery.

While Pino firmly established his uniquely Nuevo Mexicano socio-economic status during this period, the young J.F. Chavez was just beginning his journey as a Nuevo Mexicano

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<sup>80</sup> 1860 U.S. Census, New Mexico Territory, Village of La Cienega, Aug. 4 1860, dwelling #1037, p. 136-37.

<sup>81</sup> Notably, both these women were born west of the New Mexico territory. The Mohave lived along the Colorado River, while the two main Paiute peoples dwelled in either the Pacific Northwest (Northern Paiute) or southern California, Nevada, and Utah (the Southern Paiute); Paiutes were a particular target of Comanche and Uteslave raiders, who would then trade the captives at markets in northern New Mexico. See A.L. Kroeber, *Handbooks of the Indians of California* (Washington, D.C.: Government Printing Office, 1925), 581-82, 726; Hämäläinen, 355-56.

<sup>82</sup> Brooks, 31.

*patrón*. He returned to New Mexico and took over the lucrative private involvements his father, Mariano José, had established in mercantile freight, sheep herding, and mining across the territory.<sup>83</sup> Chavez traveled back from his education in the Northeastern U.S. in 1852 at the age of nineteen in order to manage the estate and family businesses upon Mariano's death.<sup>84</sup> His mother, Dolores Perea de Chavez, soon remarried Dr. Henry Connelly, a bilingual Anglo-American politician who would be appointed as the territory's governor during the U.S. Civil War.<sup>85</sup> José Francisco Chavez also married during the 1848-1860 period. His place of marriage and his choice of bride were far from typical for the eldest son of a dominant *patrón*, revealing the mobility of the Nuevo Mexicano elite and the elasticity of elite society to absorb non-Hispanic people without compromising its distinctive Spanish identity.

By 1854, the twenty-one-year-old Chavez held a central position in the maintenance of the family's businesses. The memoir of New Mexico's territorial governor from 1853 to 1857, David Meriwether, includes anecdotes about Chavez that demonstrate the extent to which the young man travelled for these occupations.<sup>86</sup> J.F. Chavez's travel appears most strikingly in the

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<sup>83</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers and Militia*, 4.

<sup>84</sup> The exact date of Mariano José Chavez's death is unclear, occurring sometime between 1846 and 1854. An 1846 account of U.S. Lt. Col. Emory's expedition through New Mexico recorded staying at a "Don José Chavez's" home, indicating that he was alive for at least some of the war (Agnes Laut, *Pilgrims of the Santa Fe* [New York: Grosset & Dunlap, 1931], 272). A memoir by David Meriwether listed José Francisco as Connelly's son-in-law in 1854, meaning that José Francisco's mother's Dolores must have married Connelly sometime before 1854 but after the death of her first husband. See David Meriwether and Robert A. Griffen, *My Life in the Mountains and on the Plains* (Norman: University of Oklahoma Press, 1965), footnote 14, 175.

<sup>85</sup> Meriwether describes Henry Connelly as "an honest man" who "had long been a resident of the territory and spoke both languages [English and Spanish] fluently." See Meriwether and Griffen, 173.

<sup>86</sup> Meriwether describes his journey with a "Mr. Chaves" in February of 1854 from Santa Fe to Missouri aboard a trade caravan. The governor never gives the first name of this "Mr. Chaves", but a footnote does explain he was Henry Connelly's stepson, which José Francisco had recently become through his mother's remarriage. This stepson had to be José Francisco because, in 1854, there was one other Chavez son: José Bonifacio. However, it seems unlikely that Bonifacio is the son described, since his birth year in 1842 suggests he would have been no more than thirteen years-old at the time of the journey. See Meriwether, 176-180; "Bonifacio Chavis" in 1860 U.S. Census, 9th Precinct Los Pinos, Bernalillo County, household #1526, p. 160.

story of his first marriage. In 1857, Chavez married Mary Bowie (Bowe) in San Francisco, California at the age of twenty-four.<sup>87</sup> Bowie was far from an ideal match for the first heir to one of the most influential Hispanic New Mexican families. The 1860 Census, where she is listed as “Mary Chavis”, indicates that she was born in Canada. Further investigation revealed a “Mary Bowe” was born August 19th, 1832, in Prince Edward Island, Canada, and was baptized the following year into the Church of England in the town of Richmond on the island.<sup>88</sup> As such, not only was Mary an outsider to the Nuevo Mexicano *rico* community by place of birth and ethnicity but by religion. In overwhelmingly and devoutly Catholic Hispanic New Mexican society, her Anglicanism and her apparently middle- or lower-class birth would have raised eyebrows if not an outright scandal.<sup>89</sup> Nevertheless, the newlyweds returned to Bernalillo County by 1860. In that year’s federal census, “Mary Chavis” and José Francisco had two infant daughters and a combined estate value of \$55,000 USD.

The unconventional wedding of Mary and José Francisco provides valuable insight into the mobility of the Hispanic New Mexican upper-class. José Francisco travelled as far as California and Missouri in his youth. With his father’s death and this independence came decisions that, perhaps, did not please his elite family. The story of their marriage, like that of Nicolás and Juana’s a decade earlier, contradicts conventional macrohistorical narratives that

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<sup>87</sup> Ralph Emerson Twitchell, *Leading Facts of New Mexican History* vol. 2 (Cedar Rapids: Torch Press, 1912), footnote 326, 400-401.

<sup>88</sup> “Baptismal Record, Mary Bowe”, Lot 19, Sept. 9, 1833, Church of England, Richmond, record book 1, p. 104, Public Archives & Records Office of Prince Edward Island, PARO collections database, <http://www.gov.pe.ca/parosearch/vital/individual-vital-information/recordId/118514/eventType/1> , accessed March 18, 2018. For reported age, see “Mary Chavis” in 1860 U.S. Census, 9th Precinct Los Pinos, Bernalillo County, household 1526, p. 160.

<sup>89</sup> For the pre-annexation history of Catholic marriage in New Mexico, see Ramón Gutiérrez, *When Jesus Came, the Corn Mothers Went Away*, esp. 241-271.

portray the Nuevo Mexicano upper-class as entirely insular and confined to the borders of their local communities. Chavez apparently worked to integrate Mary into this community by bringing her back from California and settling down directly next to his mother's home.<sup>90</sup> In this way, Chavez began his lifelong negotiation between integration with Anglo-Americans and the maintenance of a traditional Hispanic New Mexican elite status.

As an affirmation of this traditional *patrón* identity, Chavez, like Pino, held an Indian girl as a "servant" in 1860 to mark his social wealth. Chavez likely abducted the thirteen-year-old "Maria" himself during a raid on an Indian community or purchased her at a *rescate* (auction).<sup>91</sup> His mother and stepfather's home, located directly next door, had as many as four enslaved Indian children "servants" in their home, indicating the couple's extraordinary wealth and prestige.<sup>92</sup> The persistence of enslaved Indians in the *rico* households of Pino, Chavez, and their family members affirms the ubiquity of the practice of borderlands slavery even after U.S. annexation. The enslavement of women and children by both Native and Hispanic New Mexican patriarchs was so inseparable from male social status in the region that it persisted in elite *haciendas* through the turn-of-the-century.

The end of the 1850s marked the end of private life for J.F. Chavez and Nicolás Pino. Pino had followed his wife's kinship ties to migrate to Mexico along the nascent U.S.-Mexican border, then negotiated legal trouble in the newly Anglicized civic government only to establish

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<sup>90</sup> For other Southwestern cases of mixed families, see Anna F. Hyde, "Hard Choices, Mixed Race Families and Strategies of Acculturation in the U.S. West after 1848" in *On the Borders of Love and Power, Families and Kinship in the Intercultural American Southwest*, ed. David Wallace Adams and Crista DeLuzio (Berkeley: University of California Press, 2012), 89-108. For frontier marriages between Nueva Mexicana women and Euro-American traders during the Mexican period, see Brooks, 228-232.

<sup>91</sup> 1860 U.S. Census, 9th Precinct Los Pinos, Bernalillo County, household #1526, p. 160. For traditions of abduction of Indian and Hispanic children, see Brooks, *Captives and Cousins*.

<sup>92</sup> *Ibid*, household #1525, p. 160. The combined estate value of Henry Connelly's home was \$155,000 USD.

himself as a formidable *patrón*. Chavez had returned to his home, grown into adulthood along the lucrative trans-Mississippi trails, and attempted to integrate an Anglican woman from Canada into Bernalillo County's elite Hispanic society. In 1859, the twenty-six-year-old José Francisco Chavez was elected for the first time to the territorial legislature. He was unable to serve his full term, however, as in 1861 he received and accepted a presidential military officer commission as a major in the Union's New Mexican campaign.<sup>93</sup> Both men would act upon their traditional military and social duties as *patrones* in the rapidly approaching Texan invasion of their homeland. Even in times of crisis, they and the other Hispanic New Mexican elites who became Union officers reinforced their distinctly Nuevo Mexicano socio-economic status through culturally contingent beliefs in male honor and power.

### III. “[New Mexico] desires to be left alone,” 1860-1862.<sup>94</sup>

When the U.S. Civil War reached the New Mexico Territory, it did not, as some military historians portray, encounter an indolent Hispanic New Mexican society that had no frame of reference for warfare.<sup>95</sup> On the contrary, the ways in which Pino, Chavez, and other Nuevo

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<sup>93</sup> “José Francisco Chavez”, Hispanic Americans in Congress 1822-1995.

<sup>94</sup> From a May 1861 *Santa Fe Gazette* headline: “What is the position of New Mexico? The answer is a short one: She desires to be left alone,” cited in Jerry Thompson, *A Civil War History of the New Mexican Volunteers and Militia*, 215.

<sup>95</sup> Neither Donald Frazier nor Ray Colton portray the Nuevo Mexicano militia warfare tradition against Native communities as well as Anglo-American invaders as having any impact on how Hispanic New Mexicans responded to the U.S. Civil War. Colton's only suggestion of independent Hispanic New Mexican action *vis a vis* the Navajo, for example, occurs in his chapter on the Indian campaigns: “The campaign against the Navahos was approved by the civilians in New Mexico who worked with military forces and acted independently on several occasions” (142). In discussing Texan attempts to recruit Nuevo Mexicano soldiers to the Confederacy, Frazier mentions that “Spanish speaking companies of three-month volunteers to fight Apaches...proved highly successful, inflicting severe defeats on the Indians on two different occasions” (104), only to later disregard Union Nuevo Mexicano companies as not “approach[ing] any military efficiency” (144). Jerry Thompson does acknowledge this frontier warfare tradition in *A Civil War History of the New Mexican Volunteers and Militia* but, as his analysis focuses only on the war years, does not go into its detailed history nor the specific place of *patrones* within it (57).



Mexicano elites reacted to the Civil War in their homeland relied upon the established role of *patrones* during times of conflict with American Indian nations and, to a lesser extent, with Texans. Moreover, the responses of *ricos* to the wartime influx of Anglo-American people and power into their territory were grounded in strategies developed since 1848 to maintain a culturally distinct socio-economic status in the face of language barriers and Anglo prejudice. Following Nicolás Pino and J.F. Chavez through the tumultuous Civil War years reveals the continuity in these strategies and responses that derived both from the duties of being a *patrón* and the need to protect this very status.

On a macro scale, centuries of continual violence against powerful indigenous groups in the Southwest, particularly Comanches, Apaches, Utes, and Navajos, proved one of the most critical influences on how Hispanic New Mexican elites responded to the U.S. Civil War in New Mexico. It was this history of violence that established the uniquely Nuevo Mexicano pattern of frontier militia warfare deployed in the 1855-1856 Apache campaign, the 1860 Navajo campaign, and during the U.S. Civil War. Chavez and Pino responded to the conflict following their prescribed duties as community patriarchs within this frontier warfare tradition. This tradition was still very much alive in the first half of 1860, on the eve of Abraham Lincoln's election. In August that year, a group of Hispanic New Mexican *patrones*, including Nicolás's brother Miguel, organized a Santa Fe convention with the purpose of discussing "appropriate, effective, and efficient means to protect the lives of our citizens and the general interests of the country, now attacked, as they long have been, by the Navajo Indians."<sup>96</sup> Though a campaign

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<sup>96</sup> "Medios propios, operativos, y eficaces para proteger las vidas de nuestros conciudadanos y los intereses generales del país, atacados ahora, y por largo tiempo por los Indios Navajóes." José Manuel Gallegos, O.P. Hovey, Miguel E. Pino, Felipe Delgado, letter to Governor A. Rencher, August 14, 1860, Ralph Emerson Twitchell Collection, serial 8472, accession 1959-209, series 4: Territorial Papers, folder 77 (Santa Fe: NMSA).

against the Muache Ute and Jicarilla Apache had ceased barely four years earlier, the council called on Hispanic New Mexico's established system of militia raising under local *patrón* leadership to wage another frontier war.

The declaration of the 1860 Santa Fe convention encapsulated the societal expectations of prominent “hijos de Nuevo México (sons of New Mexico)”<sup>97</sup> like Pino and Chavez during warfare: they were to be motivated by the defense of their lands, the desire for revenge against the Navajo, and the traditional masculine honor upon which their *patrón* status rested. These expectations dictated that, for these reasons, local patriarchs should lead and/or supply their own militia units, much as their forefathers had done in the absence of Spanish or Mexican military aid. I argue that the actions of Nicolás Pino and J.F. Chavez during the U.S. Civil War show that these historically and culturally specific motives of self-defense, male honor, and vengeance influenced Nuevo Mexicano *patrones* to enlist far more than their feelings about the morality of Black chattel slavery or the protection of a perpetual federal Union.<sup>98</sup>

To the first point, despite their entrenched system of American Indian enslavement, Hispanic New Mexican elites were largely divorced from investment in the political, social, and economic system of Black chattel slavery that dominated the Southern U.S.<sup>99</sup> The 1860 U.S. Census recorded just eighty-three “colored persons” in the territory among a total reported

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<sup>97</sup> Gallegos et. al.

<sup>98</sup> For federal union as a motivation to enlistment, see Gary Gallagher, *The Union War* (Cambridge: Harvard University Press, 2011). For slavery as motivation, see Chandra Manning, *What This Cruel War Was Over: Soldiers, Slavery and the Civil War* (Boston: Alfred A. Knopf, 2007).

<sup>99</sup> On the beginnings of indigenous slavery in Spanish colonial Mexico and its persistence in the Northeastern regions neighboring Nuevo Mexico of Nueva Vizcaya, Nuevo León, and parts of Coahuila and Nueva Tlaxcala through the eighteenth century, see Jose Cuello, “The Persistence of Indian Slavery and Encomienda in the Northeast of Colonial Mexico, 1577-1723”, *Journal of Social History* 21, 4 (1988), 683-700.

population of 93,516, some ninety percent of whom were Hispanic.<sup>100</sup> In 1859, three Anglo Democrats and thirty-two Nuevo Mexicano sympathizers succeeded in passing a slave code in New Mexico. The statute applied exclusively to people of African descent held in bondage rather than to peons or indigenous slaves.<sup>101</sup> It had little practical effect, however, as there were between twelve and sixty-four Black slaves recorded in the territory that year.<sup>102</sup> Moreover, both Hispanic and Anglo New Mexican antebellum political writers repeatedly asserted that, regardless of moral or economic imperatives, “As a consequence of its geographic and climatic position, as well as other impediments presented by New Mexico, the practical introduction of slaves within its borders is naturally almost impossible.”<sup>103</sup> James Brooks points out that the existing system of American Indian bondage in the territory proved one of these impediments, as both Anglo and Nuevo Mexicano elites already had a source of cheap labor they saw as separate from the politics of chattel slavery.<sup>104</sup>

As such, while the enslavement of American Indians had deep roots in Hispanic New Mexico, its history, mechanisms, and purposes differed greatly from the chattel slavery of Africans and African-descendants codified in the U.S. South. Brooks argues that, unlike plantation slavery, Southwestern “borderland slavery found affinity with kin-based systems

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<sup>100</sup> “Introduction” in *Population of the United States in 1860*, compiled Joséph C.G. Kennedy (Washington: Government Print Office, 1864). For total population of New Mexico, see p. iv. For “The colored population and its proportions, 1860” see p. xiii. For estimations of ethnicity, see Sánchez et. al, 122-123.

<sup>101</sup> Governor Rencher decreed that “the native condition of our Indian tribes if that of freedom” but that they could be held “as captives or peons” for the purposes of spiritual conversion (Brooks, 329-330).

<sup>102</sup> Donald S. Frazier gives the number twelve in *Blood and Treasure, Confederate Empire in the Southwest* (College Station: Texas A&M University Press, 1995), 20; James Brooks places this number at sixty-four (Brooks, 329).

<sup>103</sup> “En consecuencia de la posición geográfica clima, y otros impedimentos que presenta N. Mejico, la introducción practicable de esclavos dentro de sus límites es casi naturalmente imposible.” Charles Beaubien, et. al, “A Nuestros Ciudadanos de N.M. (Circular to the People of New Mexico on Statehood)”.

<sup>104</sup> Brooks, 306-307.

motivated less by a demand for units of labor than their desire for prestigious social units.”<sup>105</sup> As discussed in chapters one and two, *patrones* like Pino and Chavez as well as their Indian counterparts held a few members of the opposing group within their households to demonstrate patriarchal power and gain domestic labor, not as a path to cash crop wealth. Anecdotal evidence further suggests that, while most Nuevo Mexicano *ricos* like Pino and Chavez held Indian slaves, they did not perceive their system of human trafficking as connected to Euramerican plantation slavery.<sup>106</sup> Though Nicolás Pino’s opinion on Black chattel slavery is unrecorded, his brother Miguel came out against the 1859 New Mexican slave code, despite the fact that both Miguel’s mother and his elder brother, Nicolás, held enslaved Indian women. When Union official W.M. Need polled all three companies of Miguel E. Pino’s “Second Regiment of New Mexico... (Captains Pino,<sup>107</sup> Sena, and Baca y Delgado)” on their opinions of the slave code in 1861, Need “did not find a solitary individual in favor of the slave code.”<sup>108</sup> This regiment, which presumably included Miguel himself, thus held a negative opinion of codified Black chattel plantation slavery even as their family members engaged in the seizure and enslavement of Indians. Miguel Pino’s response to the slave code reveals that he, like most Nuevo Mexicanos, did not see Black slavery as connected to the New Mexican practices of borderlands slavery in which his family participated.

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<sup>105</sup> Brooks, 34.

<sup>106</sup> 1880 U.S. Census, Galisteo, precinct NW 8, Santa Fe county, household #1, p. 103; 1885 New Mexico Territorial Census, Galisteo, Santa Fe County, July 9, 1885, household #1, p. 4.

<sup>107</sup> Though often confused, this Captain Pino is Miguel E. Pino, not Nicolás. The latter was in fact a Brigadier General of a militia unit rather than a captain of a volunteer unit. See H.H. Heath, “Appointment of Commissioned Officer”, Sept. 15, 1861, confirmed by territorial secretary January 12, 1869, “Territorial Archives of New Mexico” microfilm roll 86, frame 680 (Santa Fe: NMSA) and *Official Army Register...* vol. VIII, 10

<sup>108</sup> W.M. Need to Simon Cameron, Sept. 27, 1861, Ch. LXII, “Correspondence - Union and Confederate” in *The War of the Rebellion: a Compilation of the Official Records of the Union and Confederate Armies* Vol. 50, Part 2 (Government Printing Office: Washington, D.C., 1897): 638. Hereafter, *Official Records* abbreviated to *OR*.

As illustrated in the story of the Pino brothers' perceptions of Indian versus Black slavery, Pino, Chavez, and almost all *patrones* did not derive social or economic wealth from the labor of Black slaves, and therefore would have had little motivation to enlist in a Confederate effort to protect it. The practice of Indian borderlands slavery that did uphold the socio-economic power of the *patrones* had been largely ignored by abolitionists, and there was little indication that the U.S. Civil War would change this neglect. The unwillingness of Southern Democrats to regulate the practice in the 1859 slave code further confirmed that the system of captivity and exchange between Indians and Nuevo Mexicanos in the borderlands remained out of reach of any metropolitan power.

The Northern concept of democratic union also held little sway over Nuevo Mexicano elites in 1860. As citizens of a U.S. territory, Hispanic New Mexicans could not participate in presidential elections and their delegates in Congress had no vote.<sup>109</sup> Important local politics, per the Treaty of Guadalupe Hidalgo, remained firmly in the hands of *patrones* regardless of New Mexico's relationship to the federal government. Both factors isolated Nuevo Mexicanos from the large-scale democratic process that many citizens of Northern states considered the greatest form of government.<sup>110</sup> Memoirist Rafael Chacón explicitly excluded the New Mexico territory in his assessment of the Northern passion for federal union. According to him, the North believed “the interests of the *states* could not be protected if disunited.”<sup>111</sup> By using the word “states”, which never referred to New Mexico in Hispanic antebellum discourse, Chacón implied that the Union protected only its states, not its territories. Aware of the uncertain relationship of

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<sup>109</sup> “Frequently Asked Questions”, Office of the Federal Register, U.S. Electoral College website, published by the National Archives and Records Administration, <https://www.archives.gov/federal-register/electoral-college/faq.html#territories>, accessed Feb. 28, 2018.

<sup>110</sup> For Northerners' pride in U.S. representative democracy, see Gallagher, *The Union War*.

<sup>111</sup> Chacón ed. Meketa, 124. Emphasis added.

Nuevo Mexicanos to both chattel slavery and federal Union, both Union and Confederate sympathizers attempted to influence the territory's attitudes toward the war.<sup>112</sup> However, what did motivate Pino, Chavez, and dozens of other Hispanic New Mexican *patrones* to military action were their traditional patriarchal duties in the face of an imminent threat on their lives and property: the Texan invasion of 1861-62.

On February 28, 1861, the voters of Texas overwhelmingly ratified secession from the Union, declaring Texas part of the Confederate States of America a few days later. Texas *per se*, regardless of its status as an independent republic, a U.S. or a Confederate state, had long cherished what historian Donald Frazier calls "the vision of a vast Texan empire."<sup>113</sup> This empire would include the lands, trade routes, and mineral resources of New Mexico.<sup>114</sup> Texan imperial aspirations perfectly aligned with Confederate goals to create an empire of slavery that would reach from the Atlantic to the Pacific; Texas could provide the mounted manpower to make this dream a reality while the Confederacy engaged U.S. forces east of the Mississippi. The first steps toward realizing this dream were to claim New Mexico's southern region, Arizona, as a Confederate territory and bring New Mexico into the secessionist fold in order to create a corridor to the Pacific coast of California.<sup>115</sup>

The long history of enmity between Texas and New Mexico stoked the revenge motive of the *patrones*. Conflict over their border pre-dated both Texan independence and its annexation

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<sup>112</sup> For debates about New Mexican secession, see Ray C. Colton, *The Civil War in the Western Territories: Arizona, Colorado, New Mexico, and Utah* (Norman: University of Oklahoma Press, 1959), 9-11.

<sup>113</sup> Frazier, 6.

<sup>114</sup> The origins and political developments of this conflict are covered in detail by Stegmaier, *Texas, New Mexico and the Compromise of 1850*.

<sup>115</sup> Frazier, 35-36.

by the United States. After becoming an independent “Lone Star Republic” in 1836, Texas conducted three state-sanctioned raids into the territory between 1841 and 1843. Small bands of mounted rangers murdered several Nuevo Mexicano civilians and at least twenty-three militia members, looting or burning stores and homes as they went until federal U.S. troops forcibly disbanded them. The acts of terror did little but increase the fear and hatred many Hispanic New Mexicans felt for their eastern neighbor.<sup>116</sup> This violent history was particularly impactful to J.F. Chavez. During the 1843 raid, a member of J.F. Chavez’s extended family, “Antonio José”, was murdered by Texans while accompanying a trade caravan on the Santa Fe trail.<sup>117</sup> The murder of J.F. Chavez’s kin suggests that other Hispanic New Mexican elites involved in the Santa Fe trade would have had similarly intimate experiences with Texan violence. These microlevel tragedies underlay the macroscale conflict that many historians have identified between Texas and New Mexico. It was for these specific, personal reasons that, while U.S. federal officials feared the Confederacy as an instrument of the Southern slave power and a threat to the national Union, Nuevo Mexicanos like Chavez considered *Texans* a threat to their immediate survival.<sup>118</sup>

These despised Texans gathered strength along Texas’ western border following the Confederate bombardment of Fort Sumter on April 12-14, 1861. U.S. General Winfield Scott, however, ordered thousands of regular U.S. infantry units eastward out of New Mexico that spring and summer. Movements to raise volunteer and militia troops within the territory itself proceeded slowly.

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<sup>116</sup> Steigmaier, 11-12.

<sup>117</sup> Laut, 199; “TROUBLE AMONG THE TRADERS TO SANTA FE,” *Niles’ National Register*, 14, 11 (May 13, 1843), 163. Note that this English language source uses the common misspelling “Charvis” for “Chavez.”

<sup>118</sup> See Jerry Thompson, *A Civil War History of the New Mexico Volunteers and Militia*, 58, 215. It is also noteworthy that Rafael Chacón almost never refers to the invaders as “Confederates” but exclusively as “Texans”, e.g. Chacón ed. Meketa, 170.

For reasons of politics, education, and race, J.F. Chavez received one of the earliest officer commissions in the territory on July 1 as a Lieutenant Colonel in Christopher “Kit” Carson’s First Regiment of New Mexico Volunteers.<sup>119</sup> Chavez stood out as an easy choice for Anglo-American authorities for several reasons. From a pragmatic standpoint, he spoke fluent, university-educated English as well as Spanish, enabling him to translate for monolingual English-speaking officers or Spanish-speaking recruits.<sup>120</sup> His social status as a *patrón* who held influence over men of the lower classes was also valuable to a war department desperate for Nuevo Mexicano enlistment. Union officials hoped that appointments of “influential Mexican[s]” such as Chavez would “stimulate the population...and send...volunteers to fill up the companies.”<sup>121</sup> J.F. Chavez’s familial connection to Governor Henry Connelly and his pale, blue-eyed appearance contributed to the Anglo-American perception of Chavez as acceptably white, or as close to white as a Mexican national could be in the mid-nineteenth century U.S. racial imagination.<sup>122</sup> As border studies scholar Anthony Mora writes, “Euro-Americans assumed [New Mexicans’] status as Mexicans had racial connotations as ‘not white’”. American studies scholar Laura Gómez termed this space between legally white and socially non-white as “off-white.”<sup>123</sup> Despite this status, wealthy Nuevo Mexicano elites, who had long insisted upon

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<sup>119</sup> Diarist Rafael Chacón was assigned as a Captain of this regiment, which allowed him to document several experiences of J.F. Chavez as a leader. See *Official Army Register...* vol. VIII, 7.

<sup>120</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers and Militia*, 24.

<sup>121</sup> 2nd Lt. 5th Infantry A.L. Anderson to Col. William Chapman, Aug. 6 1861 in *When the Texans Came: Missing Records from the Civil War in the Southwest, 1861-1862*, ed. John P. Wilson (Albuquerque: University of New Mexico Press, 2001), 72.

<sup>122</sup> Jerry Thompson describes J.F. Chavez’s physical appearance and English education in *A Civil War History of the New Mexico Volunteers and Militia*, 24.

<sup>123</sup> Gómez, 139-140 and Mora, 70



a distinctive Spanish heritage, more closely approximated U.S. social whiteness. This in turn favored their appointment as officers over those who did not claim “pure” European ancestry.

Mere weeks after J.F. Chavez received his commission and just two days after the First Battle of Bull Run, the Confederate invasion of New Mexico began in earnest on July 23, 1861. That day, between 250 and 300 men of the Second Texas Regiment, Mounted Rifles crossed the territory’s Southern boundary at El Paso with plans to move northward toward Albuquerque and Santa Fe. The southern desert region into which they crossed, known as Arizona, was purchased from Mexico by the U.S. and tacked on to the New Mexico territory in the 1853 Gadsden Purchase. The first federal military installation the Texans encountered, Fort Stanton, surrendered without firing a shot. A few days later, Texan Lieutenant Colonel Baylor proclaimed all of Arizona to be a Confederate territory and established himself as military governor.<sup>124</sup> The Union commander of the military department of New Mexico, Lieutenant Colonel Edward Canby, responded with a call for four more companies of volunteers to be enlisted from the New Mexico territory. The recently-appointed Territorial Governor Connelly (J.F. Chavez’s stepfather) complied, putting forth a September 8th proclamation that not only encouraged enlistment in the volunteers but the formation of the same kind of local militia units that had fought Native peoples in the territory for decades.<sup>125</sup> One day after this public call for troops, Governor Connelly gave Nicolás Pino, another wealthy and light-skinned *patrón*, an officer commission as Brigadier General of the 1st Brigade, Second Division of the Militia of the Territory of New Mexico.<sup>126</sup>

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<sup>124</sup> See Appendix I, figure 4 for Confederate claim to Arizona.

<sup>125</sup> Colton, 19-20.

<sup>126</sup> Heath, “Appointment of Commissioned Officer,” (Santa Fe: NMSA).

The unusual circumstances of Pino's commission suggest the disorganization that arose from Union attempts to administer a heretofore decentralized, local Nuevo Mexicano militia tradition. Unlike volunteers who enlisted as individuals, militias often organized locally under the auspices of a single *patrón* in a specific town, then presented themselves in this pre-existing group to the service of the territory.<sup>127</sup> As seen in the 1860 Navajo campaign, this method of militia warfare was central to the status of Nuevo Mexicano elites. It was through this system that *patrones* maintained power by proving that they could motivate those in their local spheres of influence to defend the community. For centuries, these practices were effective at the local level; they had maintained Nuevo Mexicano control of key communities like Santa Fe for the last two centuries of borderlands warfare and metropolitan neglect. Union officials, however, struggled to organize these informal, independent local militias alongside traditional volunteer infantry. Some concluded that the perceived inferiority of Nuevo Mexicano militia traditions arose from "the pusillanimity of the Mexicans."<sup>128</sup> One solution was to place these various militias in a larger "brigade" under one commanding officer like Brigadier General Pino and hope for the best. For this reason, Pino did not command the four regiments that officially constituted a brigade in volunteer or regular U.S. army units.<sup>129</sup> Instead, Pino led a shifting conglomeration of independent militia companies which the territorial government had loosely placed under his jurisdiction out of a need to organize the disparate groups into some semblance

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<sup>127</sup> Beth Foulk, "Militia Units and Volunteer Units – What's the Difference?", Jan. 24, 2014, *Genealogy Decoded*, <http://genealogydecoded.com/2014/01/24/militia-units-and-volunteer-units-whats-the-difference/> accessed March 7, 2018.

<sup>128</sup> Eaton, ed. Schoolcraft, 218.

<sup>129</sup> Minnesota Historical Society, "Civil War Research - Military Organization", *Minnesota History Center* website, <http://sites.mnhs.org/library/content/civil-war-research-military-organization> accessed March 7, 2018.

of order. Several of these companies were mustered into service in the winter of 1862, mere weeks or days before the Southwest's first major battle at Valverde.<sup>130</sup>

As the formidable Texan force advanced northwards towards Santa Fe in the fall of 1861, the organization of enlisted Nuevo Mexicanos proved less important than the urgent need for boots on the ground. In the absence of sufficient amounts of professional, well-supplied U.S. army troops—the “Regulars”—men had to be raised by any means necessary. On October 27, 1861, Governor Connelly ordered 1,200 more militiamen, rather than official volunteer companies, to be organized and equipped.<sup>131</sup> Newly commissioned *patrón* officers responded by relying on their traditional methods of raising troops. One such officer, J.F. Chavez's cousin Francisco Perea, informed a Union inspector general that, in order to form his battalion, he employed “this same system under which [soldiers] were raised during the administration of the Mexican government, that is to say they were raised by force and through the *alcaldes* (mayors) and constables.”<sup>132</sup> Perea's description of conscripting men by force implies a general resistance to enlistment. Many scholars have reconsidered reluctance to enlist in light of the precarious circumstances of poor Nuevo Mexicanos.<sup>133</sup> Yet, even with resistance to conscription, Hispanic New Mexicans of all classes did serve, and they did so in significant numbers. By the end of

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<sup>130</sup> “Several additional companies of New Mexico militia, commanded by Nicolas Pino and organized and mustered into the service of the Territory by the territorial authorities in January and February, 1862, to serve sixty days.” *Official Register*... vol. XVIII, note on p. 16.

<sup>131</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers*..., 57.

<sup>132</sup> Henry Davies Wallen and Andrew Wallace Evans, *New Mexico Territory During the Civil War: Wallen and Evans Inspection Reports, 1862-1863*, edited by Jerry Thompson (Albuquerque: University of New Mexico Press, 2008), 34.

<sup>133</sup> Jerry Thompson writes that the extant archive “contains only hints of what was certain to have been a persistent, although largely unrecorded, attempt to resist conscription and service in the military” (*A Civil War History of the New Mexican Volunteers and Militia*, 61). For a reframing of Nuevo Mexicano enlistment, see Darlis A. Miller, “Hispanos and the Civil War: A Reconsideration”, *New Mexico Historical Review* 51.2 (April 1, 1979), 105-124.

1861, Governor Connelly estimated that there were 4000 New Mexican militia and volunteers along with 1,500 regular U.S. troops, most of whom were Anglo-Americans, in the territory.<sup>134</sup>

Once their troops had been organized, Pino, Chavez, and other elite Nuevo Mexicano officers confronted pervasive and sometimes violent Anglo-American prejudice against them and their enlisted men. In responding to these prejudices, *patrones* again relied on their culturally specific position to defend a distinctly Nuevo Mexicano masculine honor. Most Anglo-Americans perceived “the Mexicans” as inherently inferior soldiers, and resistance to conscription confirmed these pre-existing assumptions.<sup>135</sup> Colonel E.R. Canby wrote in August that year, “I have not much faith in the disposition of the Mexican to second us in this matter but will do whatever I can to rouse them and put the Territory in the best possible position for defense...”<sup>136</sup> In one of the more vicious accounts of the campaign, Irish quartermaster Charles Porter went so far as to say, “In general both then and afterwards by the white soldiers...these NM allies were never considered reliable for a good fight, able perhaps to cope with Indians...”<sup>137</sup> While this racism and mistreatment has been well documented on the macroscale, the small scale resistance of elite Hispanic New Mexican officers to such abuse has been less studied. Though no records of Nicolás Pino’s actions as an officer before 1862 were found, the ways in which Lt. Col. J.F. Chavez responded to Anglo-American insults during the training and recruitment period suggest that *patrón* officers used bureaucratic channels of complaint and resource to advocate not only for themselves, but for their enlisted men.

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<sup>134</sup> Colton, 25.

<sup>135</sup> For U.S. perceptions of Mexican military impotence in the years preceding the U.S.-Mexican War, see Brian DeLay, “Independent Indians and the U.S.-Mexican War,” *American Historical Review* 112, 1 (2007), 35-68

<sup>136</sup> Edward R.S. Canby to Col. William Chapman, August 19, 1861, in Wilson, 84.

<sup>137</sup> Porter, 7.

In fall of 1861, Chavez's First Infantry regiment was moved to Fort Union, where the lieutenant colonel noticed a discrepancy between the quarters of the regular U.S. troops and those of the volunteer men and officers. Chavez employed his literacy in English and familiarity with military policies to file an official complaint with Union authorities. Per the "Plan of Organization of the Volunteer Regiments", Chavez argued that all volunteer officers "were to have the same rights as those of the Regular Army."<sup>138</sup> In his later military pension application, Chavez further condemned the unequal practice of housing Nuevo Mexicanos in the "low watery bottom" of the forts, arguing that this made them more vulnerable to disease.<sup>139</sup> Notably, while Chavez's letter sought to remedy the tangible effects of Anglo discrimination, he also explicitly rejected the derogatory racial epithet "greaser" used by Anglo-American to insult Hispanic New Mexicans. Chavez proudly claimed his own identity as a "Mexican", but refused to have this identity re-labeled by an outsider in the offensive term "greaser."<sup>140</sup> Both the Anglo-American Major Chapman and quartermaster John Courts McFerran responded to Lt. Col. Chavez's accusations with disdain, though neither denied the unequal treatment. Chavez was not reprimanded or demoted, perhaps due to his status as the governor's stepson. He also saw no improvement in housing nor, in fact, in the troops' delayed pay, lack of uniforms, and or the antiquated weapons with which they were supplied.<sup>141</sup>

One of the most visible and impactful ways in which *patrones* whose wealth had enabled them to obtain an English education affirmed their value was in translation. As Nicolás Pino had

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<sup>138</sup> Jerry Thompson, *A Civil War History of the New Mexican Volunteers...*, 76-77.

<sup>139</sup> Quoted in Jerry Thompson, *A Civil War History of the New Mexican Volunteers...*, 116.

<sup>140</sup> Jerry Thompson, *A Civil War History of the New Mexican Volunteers...*, 77.

<sup>141</sup> For more on payment and supplies, see Jerry Thompson, *A Civil War History...*, 62; Wilson, 222; Sánchez, et. al 130-134.

discovered during his encounter with the English-speaking court system in 1852, English had become the language of Anglo-dominated institutions, including the military, following U.S. annexation. Colonel Canby worked to assign Spanish-speaking officers to Hispanic New Mexican companies, ordering in October 1861, “all details will be made so that those speaking the same language may serve together and privates as far as practicable, may serve under non-commissioned officers speaking their own language.”<sup>142</sup> When this was not practicable, translation was desperately needed in taking testimony during military court martials; these were moments when Lt. Col. Chavez and other educated *patrones* demonstrated unique linguistic power. An English-speaking Union officer recorded one multi-paragraph testimony as “Statement of Prisoners (*as interpreted by Lieut. Colonel Chaves*) confined at Fort Union, N.M. for trading with the different Indian tribes of New Mexico” and certified that it was “A Correct Translation.”<sup>143</sup> Chavez and other bilingual officers likely did far more of this impromptu translating in their day-to-day activities than the archive records; they were an invaluable resource in a territory with no reliable public education or translation infrastructure.

As recurring issues of conscription, organization of troops, inadequate supplies, delayed payment, and language barriers plagued the Union, the Texans under General Sibley advanced northwards toward Santa Fe and Albuquerque. In February and March of 1862, the two defining battles of the invasion of New Mexico took place: the Battle of Valverde (February 21) and the Battle of Glorieta, also known as Pigeon’s Ranch (March 26, 28 1862). Of all the aspects of the Civil War west of the Mississippi, these two battles have produced perhaps the most study.<sup>144</sup>

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<sup>142</sup> E.R Canby orders, October 26, 1861, quoted in Jerry Thompson, *A Civil War History...*, 86.

<sup>143</sup> Lt. H.B. Bristol to Col. William Chapman, Aug. 25, 1861 in Wilson, 92-93. Emphasis added.

<sup>144</sup> For full accounts of the military tactics and officers involved in the Battle of Valverde, see Colton, 28-36 and Frazier, 157-185. For Glorieta, see Colton, 49-80 and Frazier, 208-230. Both of these scholars rely exclusively on

However, authors often assess the actions of Nuevo Mexicano troops only through Anglo-American sources, particularly the writings of Union Colonel Canby, who actively sought out Nuevo Mexicano units as a convenient scapegoat for Union losses in both engagements.<sup>145</sup> As such, I do not discuss military tactics, but instead examine the microlevel discourse around the Battle of Valverde as a proxy for macrolevel Anglo assumptions about Hispanic New Mexico. During and after this pivotal battle, both Chavez and Pino acted upon *patrón* values of honor and territorial defense to challenge Anglo-American assumptions of their inferiority.

The Battle of Valverde lasted from sunrise to sunset on February 21, 1862, and resulted in a bloody last-minute victory for the Confederacy.<sup>146</sup> That day, two to three thousand Confederate Texan troops approached U.S. Fort Craig from the south, heading northward with the intention of capturing Santa Fe. Thirty-five to thirty-eight hundred Union men stationed in or near Fort Craig—including regular U.S. troops, five New Mexican Volunteer regiments, a company of Colorado volunteers, and approximately one thousand New Mexico militiamen—stood in their path.<sup>147</sup> Among the New Mexican forces were Lt. Col. J.F. Chavez’s First Regiment New Mexico Volunteers and Nicolás Pino’s Second Regiment New Mexican Militia. That morning, Colonel Canby stationed J.F. Chavez’s First Regiment of eight volunteer companies, along with the Second Regiment New Mexico Volunteers (commanded by Nicolás

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Anglo sources to make their arguments, but do offer useful minute-by-minute summaries of troop movements and actions.

<sup>145</sup> Thompson affirms Canby’s own agenda and prejudices in Jerry Thompson, “‘We marched off the field as if on dress parade’: The Battle of Valverde Recollections of Lt. Col. José Francisco Chaves and Capt. Saturnino Barrientos”, *New Mexican Historical Review*, 91.4 (2016), 2.

<sup>146</sup> Colton, 33 and Frazier, 174-177.

<sup>147</sup> This is a median approximation of the different numbers for the forces of each side reported by Sibley and Canby. See Colton, 28, footnotes 26 and 27.

Pino's younger brother, Miguel),<sup>148</sup> on the western side of the Rio Grande as Texan troops advanced along the east bank of the river.<sup>149</sup> Both the First and Second Volunteers consisted almost entirely of Hispanic New Mexicans. The position of these two volunteer regiments along the river resulted in the most highly contested moment of the invasion. After a morning of Union successes, the battle began to turn in favor of the Confederates. Seeing this, Colonel Canby reportedly ordered the First and Second Volunteer regiments across the Rio Grande to the east side of the river to reinforce the U.S. regular troops. According to Canby, J.F. Chavez's First Regiment obeyed and forded the stream toward the fighting. Canby reported that five companies of the Second Regiment of Volunteers, however, refused to cross the water, while others "gave way...in panic" to desert the battlefield entirely.<sup>150</sup> Canby and other resentful officers insisted that "the cowardice and worthlessness of the N.M. troops" led to the Union's loss of an artillery battery and, ultimately, the loss of the Battle of Valverde.<sup>151</sup> Many laid the two hundred to three hundred Union casualties at their feet.<sup>152</sup>

J.F. Chavez publicly challenged Col. Canby's version of events thirty years later. On June 17, 1890, Chavez entered the debate on Valverde through a letter to the editor of *The New Mexican*. At that time, he was no longer a young military leader but a formidable politician.<sup>153</sup>

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<sup>148</sup> Nicolás's whereabouts during the battle are often confused for those of Miguel. However, they may be distinguished in that Miguel led the Second Regiment of *volunteers*, while Nicolás led a much smaller group of *militia*. See *Official Army Register...*, vol. XVIII, 10, 16.

<sup>149</sup> Colton, 31.

<sup>150</sup> Col. Edward Canby to the Adjutant-General of the Army, Washington D.C., March 1, 1862, *OR Series 1*, vol IX, ch.XXI, 490-491.

<sup>151</sup> Porter, 16.

<sup>152</sup> Exact numbers vary: Confederate General Sibley reported three hundred Union troops killed or wounded, while Union General Canby claimed 228 U.S. casualties. Reports of Confederate casualties vary wildly from six hundred to what was likely a more probable total of 150 to 200 killed or wounded. See Colton, 34, footnote 39.

<sup>153</sup> Jerry Thompson, "'We marched off the field as if on dress parade'...", 5.



As he had during his time in the sub-standard quarters at Fort Union, Chavez defended the honor of his Nuevo Mexicano community using his elevated socio-economic position. This defense complied with the expectation that a *patrón* would serve as an advocate for the less-powerful within his sphere of influence during times of crisis. Chavez's own reputation, in fact, suffered little injury at Valverde: Canby specifically named him, along with "many other officers of the New Mexican Volunteers...for their zeal and energy."<sup>154</sup> Despite this personal security, Chavez published an acerbic rebuke to Canby and other Anglo-American officers. He wrote, "There was no confusion among the New Mexico Volunteers to amount to anything." Far from refusing to cross the Rio Grande, "nearly all the troops...were on the east side at Valverde and had already had several severe conflicts with the Confederate troops in which our troops had come off victorious." Chavez argued that these Nuevo Mexicano troops fought valiantly, and retreated west to Fort Craig "without breaking ranks" only upon Canby's orders, not due to cowardice or panic.<sup>155</sup> In this way, Chavez rejected any insult to communal Hispanic New Mexican masculine military honor, even when his personal honor was not at stake. Political concerns may have also motivated the territorial politician to rebut Canby's claims. At the time of this article's publishing, Chavez was dedicated to the campaign for New Mexican statehood. By portraying Hispanic New Mexicans as active, valuable participants in the war to save the Union, Chavez implied that these same men deserved a more equal share within it.

Unlike J.F. Chavez, Nicolás Pino did not fight on the main battlefield of Valverde nor did he enter into the contentious debates about the supposed-cowardice of Nuevo Mexicano troops.

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<sup>154</sup> Col. Edward Canby to the Adjutant-General of the Army, Washington D.C., March 1, 1862, *OR* Series 1, vol 9, ch. 21, 493.

<sup>155</sup> J.F. Chavez quoted in Jerry Thompson, "'We marched off the field'...", 11-13.

Rather, Pino and his militia units became the subjects of an argument about two other matters: the desertion of Hispanic New Mexican enlistees and the relative value of such soldiers in prisoner-of-war exchanges. The story of their capture as told through Union and Confederate correspondence reveals that the Anglo perception of Nuevo Mexicanos as lesser soldiers did more than wound their pride. It determined how the U.S. government treated—or ignored—captured New Mexicans after the battle had ended. During the Battle of Valverde, Nicolás Pino—now referred to as a “colonel” rather than a brigadier general<sup>156</sup>—led a small group of “200 mounted militiamen” alongside other hundred-men militia units to skirmish with Texan soldiers south of the main battlefield. Major Charles E. Wesche of this second militia regiment reported that this was in accordance with orders “to cut off some wagons of the rebels” and “demolish” the enemy camp by nightfall. After accomplishing this destruction with explosives, Pino’s group of militia units returned to the Union stronghold at Fort Craig by 10:30 pm.<sup>157</sup>

Three days later, on February 24th, Union General Hovey ordered Col. Pino’s Second Regiment New Mexican militia northward to the civilian town of Socorro. There they were to defend the town against capture and cut off the victorious Texans’ movement north. No sooner had the regiment released their horses than a Texan picket fired at the town; a Union advanced guard reported to Colonel Pino that the Texans had encamped a few miles southwest of Socorro. The situation escalated until, according to Major Wesche, “about 8 p.m. the enemy fired a cannon-ball over the town, and from that moment our men began to desert and to hide themselves away.” Unable to immediately mount a defense due to desertion, Col. Pino agreed to

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<sup>156</sup> In this correspondence, Pino is called by the rank of “Colonel”, suggesting that, even though he was commissioned as a brigadier general, he ended up leading a regiment (rather than a brigade) of smaller militia companies through the haphazard organization of the New Mexican militia.

<sup>157</sup> Maj. Charles Wesche to Capt. William Nicodemus, Feb. 22, 1862, *OR* supplement, ch. 56, 452-53.

treat with—but not surrender to—the Confederate superior officer, Colonel McNeill, hoping to stall until Union reinforcements arrived.<sup>158</sup> The U.S. forces, however, were still licking their wounds from Valverde, and had experienced similar rates of desertion. When McNeill invited Colonel Pino to observe the Texan camp later than night, the Union officer concluded the battle could not be won and surrendered at 2 am on February 25, 1862.<sup>159</sup> At 10 am, approximately 150 militiamen came “out of their hiding places” to take the oath of neutrality. The Confederacy took over two hundred officers and enlisted men as prisoners of war. Of these, Colonel Nicolás Pino, Major Wesche, and a lieutenant colonel were paroled, a term used during the Civil War to designate a prisoner allowed to return to their home with the promise not to take up arms again until formally exchanged by their commander.<sup>160</sup>

Once the two hundred soldiers who had stayed in Socorro were captured along with their superior officer, Colonel Nicolás Pino, they faced an uncertain fate due to their Nuevo Mexicano identity. Confederate General Sibley intended to exchange these men for the Confederate prisoners taken by the Union. However, his correspondence with Union officers revealed that Anglo-American officers did not believe these Hispanic New Mexican militiamen to be of equal value to the captured Texan soldiers. In May 1862, with his Texans in active retreat, General Sibley wrote to Col. Canby, “[Union] Col. Paul... declined to exchange for these prisoners, though I am at a loss to conceive upon what principle. It matters not whether they were militia,

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<sup>158</sup> Report of Maj. Charles E. Wesche, Second New Mexico Militia from Santa Fe, N. Mex., May 5, 1862, *OR*, series 1, vol 9, ch. 21, 604-607.

<sup>159</sup> Strangely, Wesche’s report states that Pino surrendered on April 25, rather than February - a date that makes little sense considering that by April the Texans were in full retreat to Texas from Santa Fe. Scholar Ray C. Colton concludes this is a mistake and cites February 25 as the actual date of surrender. See Colton, 37.

<sup>160</sup> Roger Pickenpaugh, “Prisoner Exchange and Parole”, Essential Civil War Curriculum website, Virginia Center for Civil War Studies at Virginia Tech, <http://essentialcivilwarcurriculum.com/prisoner-exchange-and-parole.html>, accessed March 13, 2018.

Volunteers or Regulars. I presume it cannot be denied that they constituted a portion of your forces...and were in every sense in the service of the United States.”<sup>161</sup> Colonel Canby responded that, while “those who were properly included in the capitulation at Socorro...would have been exchanged upon equal terms,” there were also deserters from the New Mexican militia who did not merit exchange. Canby concluded that these deserters “skulked from the impending conflict...and after the danger...gave themselves up to your troops...to secure their personal safety...”<sup>162</sup> The inclusion of these men made the prisoner transfer void in Canby’s eyes, since he would not return valuable Texan combatants to the service of the Confederacy in exchange for untrustworthy Nuevo Mexicano militiamen. Nicolás Pino was paroled to return to his home, but formally remained a prisoner of war for three years until discharged at the war’s end in 1865, suggesting that he and likely his enlisted men were never exchanged.<sup>163</sup> Canby’s decision to abandon all the Socorro prisoners, regardless of desertion status, thus reveals the immediate consequences of macroscale Anglo-American discrimination against Hispanic New Mexicans. Though New Mexican parolees could return to their homes rather than a P.O.W. camp, they remained in a state of limbo between Union soldier and civilian. If exchanged, they could be pressed back into Union service; left as parolees, they were unable to take up arms to defend themselves against Confederate forces, many of whom raided homes and farms during their retreat through the territory.

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<sup>161</sup> Brig. Gen. H.H. Sibley to Col. Edward Canby, May 23, 1862, *The Lost Letterbook of Henry Hopkins Sibley* ed. John P. Wilson and Jerry Thompson (El Paso: Texas Western Press, 2001), 154-155.

<sup>162</sup> Col. Canby to Brig. Gen. Sibley, June 4, 1862, *OR* series 2, vol. III, 531-532.

<sup>163</sup> David H. Salazar, “New Mexico Census 1885 Schedule of Veterans of Union Volunteer Forces and Regular Army and Veterans of the Confederate Army”, *Nuestras Raices: A Publication of the Genealogical Society of Hispanic America* 1.3 (July 1989), 87, collected in History File #15, Civil War in New Mexico, serial 9260 (Santa Fe: NMSA).

While Nicolás Pino's military career ended with his surrender at Socorro on February 25, 1862, J.F. Chavez and hundreds of other Nuevo Mexicanos, including Pino's brother Miguel, continued to repel the Texan invasion. On March 7th, the Texans took the city of Albuquerque with no resistance, raiding many Nuevo Mexicano villages between Valverde and Albuquerque for food and firewood, causing famines and homelessness.<sup>164</sup> On March 26 and 28, Union reinforcements from Fort Union and Colorado beat back the Texan advance toward Santa Fe in the two battles fought in Glorieta Pass. The real victory of Glorieta, however, had not been achieved on the main battlefield. Instead, the destruction of the Texan supply wagons, guided by a Hispanic New Mexican lieutenant colonel and a Nuevo Mexicano Catholic priest, forced the Texans to retreat or starve.<sup>165</sup>

J.F. Chavez's whereabouts during this time are somewhat murky. His First New Mexico Volunteers are not officially recorded as fighting at Glorieta in March.<sup>166</sup> On April 1 General Canby ordered ten regiments under J.F. Chavez's colonel, Christopher "Kit" Carson, to guard Fort Craig. It is likely Chavez remained at Fort Craig with Carson's garrison, and may have been quartered there since Valverde.<sup>167</sup> Following Glorieta, the Texan Confederates retreated to Santa Fe, but soon evacuated both that city and Albuquerque due to lack of supplies and the pressure of approaching Union forces from Colorado and California. One final battle occurred at Peralta on April 14th, in which Union forces further demoralized the now-starving, exhausted Texans, pushing them into full retreat across the sixty mile stretch of waterless desert known as

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<sup>164</sup> Frazier, 187-207.

<sup>165</sup> Colton, 69-74.

<sup>166</sup> *Official Register...* vol. XVIII, 7. Only "Valverde" is written under "List of battles."

<sup>167</sup> Colton, 82.

la Jornada del Muerto (the aptly named “dead man’s journey”).<sup>168</sup> After eventually straggling back into Arizona, General Sibley abandoned the new Confederate territory with a mere skeleton crew. This small, demoralized garrison was soon overwhelmed by Apache guerrillas, Hispanic Arizonan resistance, and the eventual arrival of the California column.<sup>169</sup>

#### IV. “Fighting with the ancient enemy,” 1862-1865.<sup>170</sup>

By the summer of 1862, the Texans had left for good. J.F. Chavez, Nicolás Pino, and thousands of other Hispanic New Mexicans, however, remained in their homeland, as did a significant number of Anglo U.S. troops. Following the retreat, the U.S. Army in the Southwest turned its focus toward a brutal frontier war against the Navajo and Apache nations. This war, too, required the participation of Hispanic New Mexican *patrones* like Lt. Col. J.F. Chavez, who had been raised to lead militias against Indians from birth. J.F. Chavez’s post-invasion military career provides a microlevel vantage point from which to analyze broader Nuevo Mexicano elite responses to U.S. federal Indian policy. His story shows that *patrones* participated in government-sponsored violence against Native people while they and their troops simultaneously undermined federal policies in favor of traditional Nuevo Mexicano methods of borderlands warfare.

Immediately following the Texan retreat in May 1862, Lt. Col. José Francisco Chavez was transferred to the newly organized First New Mexico Cavalry at Fort Wingate. Chavez’s

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<sup>168</sup> Frazier, 269 and Colton, 117.

<sup>169</sup> Colton, 92-99.

<sup>170</sup> Chacón ed. Meketa, 303.

prior colonel and famous “mountain man”, Kit Carson, led the regiment.<sup>171</sup> His cavalry unit was one of the 1,062 remaining New Mexico Volunteers assigned to the "Indian campaign" by fall of 1862, alongside 1500 more militiamen ordered into service in September that year and October of 1863. The U.S. War Department’s purpose in these brutal military endeavors went beyond chastising American Indian raids on a case-by-case basis. Rather, the United States—with significant Hispanic New Mexican support—initiated a campaign of forced starvation and military capture to compel the Diné people to relocate to the first federal reservation in the U.S. Southwest territories: Bosque Redondo, also known as Fort Sumner.<sup>172</sup> During that period, eight thousand Navajo would reach Bosque Redondo, and uncounted hundreds died of exposure, starvation, or attacks along the way.<sup>173</sup> The small number of Apaches who survived Colonel Kit Carson’s brutal 1862 campaign were also relocated at gunpoint to the new Bosque Redondo reservation.<sup>174</sup>

To this end, Lt. Col. J.F. Chavez of the newly-created First New Mexico Cavalry was assigned to oversee the construction of a new federal installation, Fort Wingate, in October 1862.<sup>175</sup> The fort’s location west of the Rio Grande near the present-day Arizona-New Mexico border stood intentionally close to ancestral Navajo lands.<sup>176</sup> Wingate, occupied by over two-hundred people by June 1863, was to be the point of departure for thousands of Diné on the

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<sup>171</sup> *Official Register...*, vol. XVIII, 2.

<sup>172</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers...*, 309.

<sup>173</sup> Iverson, 59; Jerry Thompson, *A Civil War History of the New Mexico Volunteers...*, 341-344.

<sup>174</sup> Colton, 126-128.

<sup>175</sup> Chacón ed. Meketa, 223.

<sup>176</sup> See Appendix I, figure 3.

forced march southwards to Bosque Redondo.<sup>177</sup> Most of the violence that took place out of Chavez's Fort Wingate occurred in the Hispanic New Mexican militia style of Indian warfare. Groups of forty to one hundred New Mexico or California cavalry volunteers rode out from the fort on short-term expeditions of a few dozen days with the goal of killing or capturing any Navajo they determined to be hostile. Reported Navajo attacks on supply trains or livestock often served as justification for these individual raids. One prototypical report from July 31, 1863 summarizes this pattern: "Lieutenant-Colonel Chavez reports that Capt. Rafael Chacon...with 22 men, was sent in pursuit of a band of Indians who had stolen some horses and oxen from Fort Wingate...The troops followed the trail of the Indians for three days, and finally overtook them, when a sharp fight ensued. The Indians fought with great bravery, but were finally driven from their cover, and fled...Indian loss unknown, troops, 1 private wounded."<sup>178</sup> The dozens of 1863 and 1864 reports similar to this one follow the style and motivations of the established Nuevo Mexicano militia tradition identified in chapter three.

The most substantial way in which Chavez employed traditional tactics of Southwestern warfare was in his participation in the capture and exchange of American Indian and Hispanic New Mexican children. As James Brooks has shown, war between Nuevo Mexicanos and Native peoples had long served as a justification to take women and children from the enemy as slaves or adoptees in order to demonstrate the captor's masculine dominance.<sup>179</sup> The practice continued at Chavez's Fort Wingate, despite the U.S. prohibition on all forms of non-penal slavery

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<sup>177</sup> James H. Carleton, "Abstract from the return of the Department of New Mexico...for the month of June 1863," *OR* series 1, vol. 26, ch. 38, 612.

<sup>178</sup> "Synopsis of Operations in the Department of New Mexico, May 16-December 28, 1863", *OR* series 1, vol. 26, ch. 38, 24.

<sup>179</sup> See Brooks, *Captives and Cousins*.



following the 1863 Emancipation Proclamation. In one of many examples, Captain Chacón reported on August 23, 1863 that his forty man scouting party “attacked 150 Indians” and “captured 7 children and recovered a captive Mexican boy named Agapito Apodaca.”<sup>180</sup> As the commanding officer and, more importantly, as a *patrón* whose status was affirmed in this human exchange, J.F. Chavez took responsibility for returning Hispanic children like Agapito to their families. Simultaneously, Chavez permitted his men to kidnap Native children.<sup>181</sup> This was perhaps not surprising when one recalls that Chavez himself held one enslaved thirteen-year-old Indian girl in 1860.<sup>182</sup> Hispanic New Mexican enslavement of Navajo children during this period was necessarily detrimental to the federal government’s desire to remove the Diné people, including Diné children, to the reservation. The conflict between Nuevo Mexicano practices and U.S. law eventually prompted General Carleton to order that all Navajo captives, regardless of age, had to be sent to Bosque Redondo.<sup>183</sup>

Despite J.F. Chavez’s participation in the Navajo campaign, he came out against the reservation project during his subsequent 1865 campaign for territorial delegate. By that time, many Nuevo Mexicanos’ opinions on Bosque Redondo worsened as the financial and human cost of the reservation came to light. In particular, the cessation of captive commerce disrupted local economic practices and labor needs in the territory.<sup>184</sup> As adaptive as ever, J.F. Chavez

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<sup>180</sup> “Synopsis of Operations in the Department of New Mexico, May 16-December 28, 1863”, *OR* series 1, vol 26, ch. 38, 27.

<sup>181</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers...*, 390.

<sup>182</sup> 1860 U.S. Census, 9th Precinct Los Pinos, Bernalillo Country, Territory of New Mexico, dwellings #1525-26, p. 160.

<sup>183</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers...*, 388-390. For the continuation of American Indian captive taking and enslavement, see Brooks, 331-336.

<sup>184</sup> Brooks, 334.

downplayed his role in the campaign to maintain popular support among the Hispanic New Mexican community, rejecting Bosque Redondo as a failure.<sup>185</sup> In 1868, the continual advocacy by Diné leaders, particularly Barboncito, convinced generals in Washington as well as Hispanic New Mexicans like Chavez of the failures of the Bosque Redondo reservation. On June 1, 1868, ten Navajo delegates signed a treaty that granted to them their ancestral lands, Diné Bikéyah, as a new reservation to which they could immediately return.<sup>186</sup>

In addition to expanding its Indian policies, the U.S. federal government also increased its presence in the daily lives of Nuevo Mexicano civilians after 1862. A claim for federal compensation made by Nicolás Pino during this period serves as one example of this large-scale shift in the territory's increasing participation in U.S. federal institutions, even among previously independent *patrones*.<sup>187</sup> In 1863 Nicolás Pino, then a paroled prisoner of the Confederacy, sought the aid of the U.S. provost marshal to reclaim his horse from the U.S. military. On December 7 of that year, the marshal J.L. McFerran reported, "Nicholas [*sic*] Pino, Informs that one of his horses, which he describes, was stolen from him and is now in the possession of the War Dpt. at Fort Union." One week later, an officer at Fort Union replied, "Respectfully report that the within described horse is at this Dept. and was purchased by José [*illegible*] for \$150."<sup>188</sup> The provost marshal does not indicate whether Pino reclaimed his horse after receiving this information. The way in which Pino sought his property proves more revealing than the result. In the 1852 civil lawsuit discussed in Chapter II, Nicolás relied upon the private support system

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<sup>185</sup> Colton, 197.

<sup>186</sup> On the return to Diné Bikéyah, see Iverson, 37, 57-65.

<sup>187</sup> Jerry Thompson, *A Civil War History of the New Mexican Volunteers...*, 70.

<sup>188</sup> "Union Provost Marshals' File of Papers Relating to Individual Civilians, 1861-1867," microfilm publication M0345, 300 rolls, War Department Collection of Confederate Records, Record Group 109 (Washington, D.C.: NARA), digitized at AncestryLibrary.com.

of his brothers, Facundo and Miguel. These family members, rather than any federal official, advocated for Nicolás. It was Facundo who spoke with a U.S. marshal who came to investigate Pino's home, and who appeared before the court. A decade later, Nicolás sought assistance through the official federal channel of the Anglo provost marshal. Such a change implies Pino's adaptation to new forms of power and legal jurisdiction in the territory. He, like many other Hispanic New Mexican veterans, had encountered these bureaucratic systems during his military service, and he continued to employ them to his own ends afterwards. The efforts of these men to seek restitution through the federal government after the war show that Hispanic New Mexicans fit within one well-established macro theory of Civil War history: people at the margins of the society increasingly used the federal government during and after the war to survive and claim space in a nation that excluded them.<sup>189</sup>

The U.S. Civil War officially concluded with Confederate General Robert E. Lee's surrender at Appomattox on April 9th, 1865. A few months before the war's end, José Francisco Chavez was honorably discharged from the First New Mexico Cavalry on November 22, 1864.<sup>190</sup> The well-connected thirty-two-year-old capitalized on his wealth, education, and the masculine honor acquired through his long military service by running for territorial delegate. On September 4, 1865 Chavez was successfully elected as New Mexico's territorial delegate to the U.S. House of Representatives, defeating his first cousin Francisco Perea, who had served in

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<sup>189</sup> Numerous Civil War scholars have identified the ways in which those who had been formally left out of the U.S. national image and body politic, most critically free and enslaved people of African descent, as well as white women, increased their demands on federal agencies in the war and post-war period. See Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge: Harvard University Press, 2010); Chandra Manning, *Troubled Refuge: Struggling for Freedom in the Civil War* (New York: Alfred A. Knopf, 2016).

<sup>190</sup> *Official Army Register...*, vol. VIII, 2.

the position since 1863.<sup>191</sup> The war's end also marked the conclusion of Nicolás Pino's parole as a prisoner of war and a quiet return to public office.

The New Mexico territory, and the lives of Nicolás Pino and J.F. Chavez, looked significantly different at war's end. After the Texan retreat from Arizona, Congress split the former New Mexico territory in two along the 109th meridian, creating the new federal territory of Arizona along the state's present-day borders.<sup>192</sup> A majority of one of the most powerful Indian peoples in the Southwest had been brutally displaced to an inhospitable reservation. On paper, all forms of slavery, including the American Indian-Nuevo Mexicano system of intercultural capture and enslavement, had been abolished, even as variations of the practice along with its resultant kinship ties remained.<sup>193</sup> Perhaps most immediate to Nuevo Mexicano post-war society was the increase in Anglo-American settlement and influence augmented by the construction of railroads. The young, bilingual politician J.F. Chavez would find great success in this rapidly changing landscape. Nicolás Pino, a middle-aged member of the pre-annexation elite, would pursue a more traditional pre-war life as a rancher in Galisteo, Santa Fe, interacting with Anglo institutions only to claim financial recompense. Neither would live to see New Mexico achieve statehood.

## **V. “The utmost efforts...[to] stamp me as anti-American,” 1865 - 1904.**

The trajectories of Pino and Chavez diverged most sharply in the post-war period. This divergence was likely due to a difference in their skills and desire to interact with the

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<sup>191</sup> Colton, 197; “José Francisco Chavez”, *Hispanic Americans in Congress 1822-1995*.

<sup>192</sup> The U.S. House of Representatives created the Arizona Territory with The Arizona Organic Act on February 24, 1863. See Colton, 196-208 and Appendix I, figure 4.

<sup>193</sup> See Brooks, 349-360.

increasingly numerous and powerful Anglo population in the rapidly changing territory. Both maintained their inherited socio-economic power as *patrones* through their deaths. However, the ways in which they did so and on what geographic scale they maintained this influence varied significantly.

From 1865 through the turn of the century, New Mexico became a hotspot for U.S. westward expansion and a birthplace of the “Wild West” mythology.<sup>194</sup> The first major New Mexican gold rush in 1860 touched off a wave of westward migration, particularly from Texas and Missouri, that subsequent gold, copper, and silver finds in the territory spurred on after the war. Territorial legislatures responded to the resulting Anglo dominated mining towns by creating new counties over which Anglo migrants, rather than Nuevo Mexicano *patrones*, held sway. In 1879, Wall Street capital financed the first railroad tracks in New Mexico, which expanded into a full network of intra-state lines by 1889. Texan cattle ranchers also moved west through New Mexico into new markets in Colorado, burdening established sheep-grazing lands used by both Nuevo Mexicano and Navajo shepherds. Many of these migrants from the east sought to create homesteads by pushing Hispanic New Mexicans off their Spanish land grants using the legal system or outright violence. Wall Street land speculators and rail tycoons also sought land for railroad expansion. For rural Nuevo Mexicanos in contested ranching, mining, or railroad counties, this “Wild West” period proved a disruption to agricultural and pastoral

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<sup>194</sup> Post-war U.S. colonization of New Mexico, Arizona, Colorado, the Dakota territory, and other regions of the Southwest has been mythologized in the U.S. imagination as “the winning of the west.” For this myth’s cultural evolution post-1890, see Brian W. Dippie, “The Winning of the West Reconsidered”, *The Wilson Quarterly*, 14, 3 (Summer, 1990), 70-85. Billy the Kid, for example, made his infamous appearance on the historical stage during the Lincoln County War in New Mexico in 1878; for a Nuevomexicano narrative of Billy the Kid as “a response to and as a condition of the European colonizing of the Southwestern territories” (xv-xvi), see Miguel Antonio Otero and John-Michael Rivera, *The Real Billy the Kid* (Houston: Arte Público Press, 1997). Recent scholarship has sought to redefine this romanticized era as a time of massive civilian and state violence against Southwestern indigenous nations: for a synthesis of Indian-white violence and policy during this period, see Robert Marshall Utley, *The Indian Frontier, 1846-1890* 2<sup>nd</sup> ed. (Albuquerque: University of New Mexico Press, 2003), esp. chapters 4-9.

lifeways. Meanwhile, Anglo men in law, politics, and mercantile business attempted to penetrate urban centers like Santa Fe and Albuquerque, which had long been dominated by *patrones* like Pino and Chavez.<sup>195</sup> Political scholar Phillip Gonzales has shown that, despite this incursion, elite Nuevo Mexicanos during this time maintained electoral control of most homeland counties and the territorial delegate position through electoral demographics as well as conscious “power-sharing” with Euro-Americans.<sup>196</sup>

The bilingual and white-passing<sup>197</sup> J.F. Chavez employed demography, power-sharing, and even election fraud to maintain positions of power within the nascent New Mexican branch of the Republican Party from the war’s end through his death. His affiliations with the Santa Fe Ring of the 1870s and his use of traditional European Enlightenment rhetoric suggest a savvy, adaptable political character. Yet, despite cooperation with Anglo-Americans, Chavez maintained a distinct elite Nuevo Mexicano identity based upon the masculine honor and social obligations of *patronismo*. Immediately after his military discharge, Chavez took up the study of law and was admitted to the bar, earning income as a lawyer alongside his management of the Chavez family businesses. In 1865, Chavez ran for territorial delegate to the Thirty Ninth U.S. Congress with the Administration Party, which supported Lincoln’s anti-slavery policies and opposed the displacement of the Diné to Bosque Redondo. He was subsequently elected in fall of 1865 to the office of territorial delegate, which granted speaking rights but not a vote in the

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<sup>195</sup> Sánchez et. al, 142-48; for railroads, see 150-155.

<sup>196</sup> Phillip B. Gonzales, *Política: Nuevomexicanos and American Political Incorporation, 1821-1890* (Lincoln: University of Nebraska Press, 2016). For a summary of Nuevo Mexicano office-holding see 3-9.

<sup>197</sup> For the racial classifications of Hispanic New Mexicans in the U.S., see Mora, *Border Dilemmas*; and Nieto-Phillips, *The Language of Blood: The Making of Spanish-American Identity in New Mexico*. On the specific racial positioning of the Hispanic New Mexican elite, see Gómez, 143-144.

U.S. House of Representatives.<sup>198</sup> In 1867, J.F. Chavez ran for a second term as a candidate of the National Union Party (a branch of the U.S. Republican party) in opposition to a Prussian U.S. veteran, General C.P. Clever of the Constitutional Union Party.<sup>199</sup> Though Clever initially won, Chavez successfully contested the victory on the basis of election fraud before the House Committee on Elections. His success was due in part to cultivated alliances with the Radical Republicans who controlled Congress.<sup>200</sup> In 1869 Chavez was elected for a third term in the post, this time as the candidate for the Republican party. It was during this final term that Delegate Chavez spoke most vigorously in favor of statehood for New Mexico by advocating for the New Mexican Enabling Act of March 1871.<sup>201</sup>

Though the act failed in the U.S. House of Representatives, the manner in which Chavez supported statehood throughout his career is informative. As Philip Gonzales has demonstrated, J.F. Chavez deployed the language of classical enlightenment European liberalism to argue for Nuevo Mexicano equality. Unlike more conservative opponents, including his cousin Francisco Perea, Chavez did not argue that New Mexicans had earned equality by rejecting their past and becoming more Anglo-American. Instead, his rhetoric applied liberal ideals of natural rights and universal citizenship to argue that all male citizens of the territory, regardless of language or ethnicity, should be equal under U.S. law.<sup>202</sup> Through the elections of the 1870s, Chavez

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<sup>198</sup> Jerry Thompson, *A Civil War History of the New Mexican Volunteers*, 5; “José Francisco Chavez”, *Hispanic Americans in Congress 1822-1995*.

<sup>199</sup> “Political Items”, *New York Times*, May 12, 1867, 3. On the National Union movement and platform, see Thomas Wagstaff, “The Arm-In-Arm Convention,” *Civil War History* 14.2 (1968), 101–119.

<sup>200</sup> For a discussion of the Clever-Chavez election, see Gonzales, 612-18.

<sup>201</sup> “José Francisco Chavez”, *Hispanic Americans in Congress 1822-1995*.

<sup>202</sup> Implicit in Chavez’s and almost all nineteenth-century political arguments is the exclusion of American-Indians from even the most radical definition of U.S. citizenship.

refused to erase his own Spanish-Mexican heritage or that of his electorate. Instead, he asserted that Nuevo Mexicanos did experience Euro-American discrimination on a local and national scale. Statehood would rectify this legal inequality while allowing Hispanic New Mexico to retain its unique cultural and social identity. In his address “To the People of New Mexico” published in *The New Mexican* after his 1865 election, Chavez acknowledged that this race-conscious argument and his refusal to make Anglicization a prerequisite for statehood engendered “the utmost efforts...to prejudice, defame, and stamp me as anti-American.”

However, Chavez saw his election as an affirmation of “this great principle--that the citizens of the United States, in all parts of the Territory thereof possess equal privileges and rights...to draw a line of distinction between citizens is unjust, illiberal and contrary to the spirit and purity of our institutions.”<sup>203</sup> Chavez’s self-identification as both a person of Mexican heritage and a U.S. citizen echoed his wartime complaints to Anglo Union officers: he was proud to be called a Mexican, but refused any attachment of inferiority to the identity. Moreover, his arguments reveal that he saw Nuevo Mexicano citizens as fully equal to Anglo-American colonizers, not as their foils or mimics. Chavez needed this Nuevo Mexicano identity in order to maintain his unique *patrón* role. If Hispanic New Mexican-ness was subsumed by an imitation of eastern Protestant Anglo-ness, the cultural and historical heritage that legitimated the rule of the *patrones* would disappear.

J.F. Chavez lost his fourth bid for territorial delegate in 1871 to the Nuevo Mexicano Democrat José M. Gallegos, who attacked Chavez’s failure to gain statehood for the territory.<sup>204</sup>

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<sup>203</sup> José Francisco Chavez, “To the People of New Mexico,” *New Mexican*, October 20, 1865, quoted in Gonzales, 485-86. Gonzales discusses the racialization of the Perea-Chavez election of 1865 in 480-86.

<sup>204</sup> For 1869-1871 election, see Gonzales, 725-783.



Despite losing the delegate office, Chavez remained a Republican powerhouse in northern New Mexican politics for the next thirty years. In 1872, Bernalillo, Valencia, and Socorro counties elected him as their district attorney. Beginning in 1875, he served fifteen sessions on the territorial council for Valencia and Tarrant counties, during eight of which he was elected as council president. During his participation in the territory's 1889 constitutional convention, the newly-organized "Chaves County" was named in his honor. Governor Miguel Otero II appointed him Superintendent of Public Instruction in 1901 and the territorial historian in 1903. Historians and contemporaries went so far as to call Chavez the "Father of New Mexican Statehood" and the territory's most stalwart Republican.<sup>205</sup>

As a politician, however, J.F. Chavez's hands were not always clean, largely due to his variable collaboration with the notorious Santa Fe Ring. The Ring, or "La Rueda", was a dominant political clique in post-war New Mexico organized predominantly around two Missouri-born Anglo lawyers, Stephen Elkins and Thomas Catron. During the Ring's three decades of political influence (ca. 1865-1912), they participated in land speculation, false government contracts, and corruption involving the cattle, railroad, and mining industries. Scholar of the Santa Fe Ring David L. Caffey identified J.F. Chavez as "a sometime confederate of the Ring."<sup>206</sup> Political rivals frequently accused Chavez of fixing the polls in his native Valencia county in favor of Republican candidates backed by this clique.<sup>207</sup>

Chavez's strategies for interacting with the Ring echoed his wartime patterns of conditional cooperation with Anglos to serve his own interest in preserving the *patrón* class.

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<sup>205</sup> Jerry Thompson, *A Civil War History of the New Mexico Volunteers*, 5; Gonzales, 787.

<sup>206</sup> David L. Caffey, *Chasing the Santa Fe Ring, Power and Privilege in Territorial New Mexico* (Albuquerque: University of New Mexico Press, 2014), 23.

<sup>207</sup> Caffey, 23-25.

Unlike less popular Ring-affiliates, Chavez wielded enough independent political power to choose which Ring initiatives to support or oppose in the territorial legislature based on his own political interests. During an 1884 meeting of the constitutional convention for New Mexican statehood, for example, Chavez led a coalition of politicians in favor of moving the territory's capital from Santa Fe to Albuquerque in seizing control of the council session. After pro-Santa Fe politicians of the Ring, including Catron, regained control of the convention by gubernatorial intervention, Chavez continued to oppose their actions. The convention controversy demonstrates the high level of self-interest that motivated Chavez's actions. The familial network of social obligation, strategic kinship ties, and landed wealth that situated Chavez as a patrón was based around Albuquerque. He exercised the strongest influence in Valencia, Bernalillo, Socorro, and Torrance counties, as shown by his ability to dictate the election results in those counties.<sup>208</sup> The movement of the state capital to Albuquerque (in Bernalillo County) would therefore have increased Chavez's own political power and, perhaps, improved the position of his local electorate. Whether Chavez saw his intentions to capture the council as genuinely favorable to his constituents or entirely self-serving is unclear; what Chavez did prove was his ability to move in and out of the Santa Fe Ring at will to protect his own status.<sup>209</sup>

J.F. Chavez also integrated with Anglos in the territory to further his own ends in his personal life. His first wife, the Canadian-born Anglican Mary Bowie whom Chavez had married in San Francisco before the war, died in 1874, leaving Chavez free to pursue a more

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<sup>208</sup> Caffey, 23-25.

<sup>209</sup> See "Meeting and Organization of the Territorial Legislature. The Democrats Make a Desperate Effort to Capture the Council, But Will Certainly be Defeated in Their Designs, as Usual", *Las Vegas Daily Gazette* Feb. 19, 1884, 1 and Caffey, 154-159 for disagreement at the 1884 constitutional convention. Note that *Las Vegas* incorrectly identifies Chavez's faction as "Democrats".

socially-connected spouse.<sup>210</sup> He chose Josephine Whittington, the New Mexican-born daughter of a Nuevo Mexicano mother, Maria Paz Jaramillo, and a merchant freighter from Maryland, James Whittington.<sup>211</sup> By 1880, Maria Paz was widowed and by 1885 established a boarding house in the town of Los Lunas in which Josephine worked until her marriage.<sup>212</sup> She married José Francisco in 1892 and had one daughter, Rafaelita, in their Valencia county home the following year.<sup>213</sup> Like José Francisco, Josephine was a member of the Valencia county *rico* class, though she was more than twenty years his junior. More importantly, Josephine stood as a product of the cultural mixing between Anglo and Hispanic New Mexicans. She could serve as a suitable partner for Chavez in settings dominated by members of either group. Chavez could not have married a more perfect example of his successful merger into both worlds.

While J.F. Chavez deftly navigated the multi-ethnic political circuit around Albuquerque, Nicolás Pino returned to the more traditionally isolated lifestyle of the pre-annexation Hispanic New Mexican elite in the town of Galisteo in Santa Fe county. A year after the war's end, the U.S. Postmaster General appointed the forty-seven-year-old Pino as postmaster of Santa Fe's Juana Lopez Post Office in December 1866.<sup>214</sup> Postmasters often held the office as a side job to their main occupation, as was the case for Nicolás Pino. Turn-of-the-century historian Ralph

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<sup>210</sup> The only extant source to mention Mary Bowie other than the U.S. Census is Ralph Emerson Twitchell, who gives her year of death (Twitchell, *Leading Facts of New Mexican History* vol. 2, footnote 326, 400-401).

<sup>211</sup> 1870 U.S. Census, New Mexico Precinct #2, Los Lunas, Valencia County, household #83, p. 738. Maria Paz's maiden name, Jaramillo, extrapolated from the name of her mother Saturnina Jaramillo in 1885 New Mexico Territorial Census, Los Lunas, Valencia County, household #135, p. 54.

<sup>212</sup> 1880 U.S. Census, Los Lunas, Valencia County, household #46, p. 5.

<sup>213</sup> 1900 U.S. Census, New Mexico, Valencia County, Precinct #26, June 11-12th 1900, household #48, p. 7-224.

<sup>214</sup> Santa Fe County, Record of Appointment of Postmasters, 1832-1971, M841, 145 rolls, Records of the Post Office Department, Record Group Number 28 (Washington, D.C.: NARA), at Ancestry.com, Appointments of U. S. Postmasters database, 2010.

Twitchell informs that Pino also served three terms on the legislative council of New Mexico, as president in 1869 and then again in 1873 and 1878.<sup>215</sup> No other primary or secondary sources could be found to corroborate this fact. This suggests that, if Nicolás Pino did serve on the territorial council, he did so quietly and without the wide influence that put J.F. Chavez's name in every territorial paper. Nicolás, along with most of the male members of the Pino clan, remained employed chiefly as *hacendados*, managers of ranching and agriculture on a specific *hacienda*, through the end of the century.<sup>216</sup> This was a far more traditional lifeway of the *patrones* than the legal profession that J.F. Chavez pursued.

The familial structure and marriage patterns of the Pino family likewise prove more similar to the Spanish and Mexican eras than those of the Chavez family. Nicolás remained married to his Mexican-born wife, Juana Rascón, for the rest of his life. All his children who married selected partners from the established Nuevo Mexicano ruling elite.<sup>217</sup> As shown in Chapter I, such marriages among the closely-related elite families of Nuevo México were the norm before annexation. While Chavez departed from this pattern by marrying into an ethnically-mixed family, other Nuevo Mexicano *ricos* like Pino apparently valued the insularity that intra-elite marriages provided.

In a related adherence to tradition, most of Pino's sons and unmarried daughters remained on or near the main ranch in Galisteo through middle age, just as Nicolás and Juana had lived at

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<sup>215</sup> Ralph Emerson Twitchell, *The History of the Military Occupation of the Territory of New Mexico* (Denver: Smith-Brooks Company, 1909), 320.

<sup>216</sup> U.S. Census 1880, Galisteo, precinct NW 8, Santa Fe county, household #1, p. 103; 1885 New Mexico Territorial Census, Galisteo, Santa Fe County, household #1, p. 4

<sup>217</sup> "Juan Ortis and Maria Concepcion Pino," June 1, 1873, Nuestra Señora De Los Angeles-Catholic, Pecos, San Miguel, New Mexico, reference 2:25LGZH9; FHL microfilm 16,855; "Juan Baca and Onofre Pino," Jan. 15, 1873, Nuestra Señora De Los Angeles-Catholic, Pecos, San Miguel, New Mexico, reference 2:25LGZ57; FHL microfilm 16,855, both records archived in New Mexico Marriages, 1751-1918 database, FamilySearch.org, accessed Dec. 12, 2017. Both Maria and Onofre list their parents as Nicolás Pino and Juanita Rascón.

his mother's property through 1850. As a result, the 1880 U.S. Census indicated up to nineteen people, or three separate families, living on Pino's ranch. All three of the male heads of those families were listed as "farmers" of the land. Strangely, one of these three families had the Anglo surname "Adams" and were all born in the Midwestern United States. Thirty-five-year-old father John Adams along with his eighteen year-old wife Eddie and five year-old son, also Eddie, were listed, like the Pino family, as "white". They do not appear at the Ranch in the 1885 Territorial Census. This suggests that the Adams may have been among the poor white migrants from the Eastern U.S. who sought better fortunes in the West after the war, but lacked the means to purchase their own lands. Perhaps Nicolás Pino employed the family as tenant farmers for a few years, and thus incorporated the newcomers into extant practices of debt peonage labor. In this way, even as Anglo-Americans entered his sphere of influence, the Pino *patrón* would have forced the outsiders to conform to his *hacendado* lifestyle, rather than change his own practices to become more Anglo.

Participation in the centuries-old practices of Indian borderlands slavery serves as the final contrast between the more integrated Chavez and the traditionalist Pino. By 1900, J.F. Chavez and his wife Josephine had only one servant in their five-person home: Marcelino Whittington, a sixteen-year-old male "day laborer" listed as white.<sup>218</sup> Marcelino had been a two-year-old resident of Josephine's mother's boarding house in the 1885 Territorial Census. This suggests that her mother may have informally adopted Marcelino Whittington, then passed him on to her daughter to be Josephine and J. Francisco's unofficial ward. Though it is possible Marcelino was of some indigenous heritage, he was not identified as such by any census. The fact that he could read and write supports the conclusion that Marcelino was more of an

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<sup>218</sup> 1900 U.S. Federal Census, New Mexico, Valencia County, Precinct #26, household #48, p. 7-224.

informally adopted ward than a slave.<sup>219</sup> The teenager's presence in the house suggests that, while J.F. Chavez continued the Nuevo Mexicano practice of adoptions and extended kinship networks, he separated his family from the mechanisms of American Indian slavery. Recall that Chavez had at least one enslaved Indian "servant" in his household in 1860 and permitted further enslavement during the Bosque Redondo campaign at Fort Wingate. Nevertheless, he seems to have ended his participation in the practice by 1900, at which point Euro-Americans considered the dying institution to be antiquated and barbaric.<sup>220</sup> It seems likely the adaptive J.F. Chavez did so to preserve his reputation as a modern politician and curry favor with Anglo elites. Furthermore, Chavez's bourgeois employment as a lawyer and politician, rather than a reliance on his family's *hacienda*, freed him from the need for many agricultural laborers.

By contrast, the *hacendado* Nicolás Pino continued to hold multiple "servants", at least one of whom was Indian, on his Galisteo ranch through 1885. In 1880, the Californian-born Mohave woman, Vicenta, still lived as a "servant" on the ranch she had occupied since at least 1860. At thirty-three years-old, Vicenta was still unable to read or write. Two other men designated to be white were listed as illiterate servants in the household.<sup>221</sup> All three disappeared by the 1885 Territorial Census, when one man listed as "white" was the only servant in the home.<sup>222</sup> The persistent captivity of Vicenta and the revolving coterie of servants on Pino's

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<sup>219</sup> For expansive Catholic definitions of family beyond consanguinity, including adoption, see Ramón A. Gutiérrez, "Catholic Kinship in the Spanish and Mexican Borderlands, A Cultural Account" in Adams and DeLuzio, 110-127.

<sup>220</sup> Brooks, 345-356.

<sup>221</sup> It is possible that all these "white" servants were Native, as Nuevo Mexicano families had lied about the ethnicities of their servants for decades (Brooks, 143).

<sup>222</sup> Confusingly, the 1885 Territorial Census reported this man was thirty-three years-old, born in New Mexico, and "formerly a slave." Like the Californian-born Indian woman Vicenta, Vincente was apparently illiterate. This echo between censuses poses valuable questions about gender, race, and slavery that are unfortunately not within the scope of this paper to answer, but merit further study.

Ranch demonstrates Nicolás Pino's deep commitment to the pre-war and pre-annexation *hacendado* lifestyle. Even as the territory shifted around him, the sixty-year-old *patrón* of the Nuevo Mexicano landed elite worked to keep his home a beacon of traditional Hispanic New Mexican social and economic power encapsulated in the continued practice of Indian borderlands slavery.<sup>223</sup>

Even as the ways in which Nicolás Pino and José Francisco Chavez responded to Anglo-American settlement differed, the two men had one common motive to interact with the U.S. federal government: military pensions. In doing so, both *patrones* implicitly recognized the sovereignty of the U.S. over New Mexico even as they considered themselves culturally separate. On May 19, 1890, "José F. Chaves" filed for a U.S. Civil War military pension, noting his rank and service in two different regiments.<sup>224</sup> Oddly, no Civil War pension application exists for Nicolás Pino, possibly due to his service in a catch-all militia unit rather than as a volunteer. In July 1890 Pino did file for a pension as a veteran of the U.S.-Mexican War, despite his part in the plotted overthrow of the U.S. military government during this very war. Pino listed himself among "[Colonel] St. Vrain's Indpt los N. Mex. Vols" without rank or date of enlistment.<sup>225</sup> As discussed in Chapter I, Pino fought on the side of the U.S. for a portion of the war after being captured in December 1846 and forced to take an oath of allegiance that betrayed his brothers. The application demonstrates that even Pino, who had violently contested U.S. rule

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<sup>223</sup> 1885 New Mexico Territorial Census, Galisteo, Santa Fe County, July 9, 1885, household #1, p. 4

<sup>224</sup> Application Number 776-057, General Index to Civil War and Later Pension Files, NAI Number: 563268, Records of the Department of Veterans Affairs, 1773 - 2007, record group number 15, *U.S. Civil War Pension Index: General Index to Pension Files, 1861-1934*, series number T288, roll 80 (Washington, D.C.: NARA). Accessed at Ancestry.com, March 22, 2018.

<sup>225</sup> "Nicholas Pino", *United States Mexican War Pension Index, 1887-1926*, NARA microfilm publication T317, FHL microfilm 537,009 (Washington D.C.: NARA). Accessed at FamilySearch.org database with images, Sept. 14, 2017.

during the U.S.-Mexican War, tacitly accepted Washington's control in order to collect what he felt the government owed him over forty years later. Though millions of other U.S. veterans made claims on the federal government following the upheaval of the Civil War, those made by the Nuevo Mexicano *rico* class stand out given the socio-cultural context of the territory.<sup>226</sup> Pension-seekers like Pino and Chavez indicated that, even as the social, cultural, and economic foundations of their *patrón* status remained un-Anglicized, they accepted federal institutions that were to their benefit. Being a *patrón* in late nineteenth-century New Mexico, therefore, did not necessitate a complete rejection of all things Anglo. Instead, *patrones* who integrated a careful selection of ideas, goods, and people from east of the Mississippi into their expressions of *patronismo* could bolster their own status without undermining its traditional foundations.

Both Pino and Chavez died at an elderly age in the territory of their birth, still holding this high status. Twitchell gives Nicolás Pino's date of death in November 1896 at the age of seventy-seven, and informs that he was buried in the Galisteo village cemetery.<sup>227</sup> Perhaps due to the remote location of his ranch and the quietness of what may be presumed to be a natural death, no death certificates, obituaries, or burial records could be found to corroborate Twitchell. However, at least one of Nicolás's daughters is buried in Old Galisteo Cemetery along with his daughter-in-law.<sup>228</sup>

J.F. Chavez, on the other hand, did not go quietly. He was assassinated while eating dinner at the home of a friend at Pino's Wells in Torrance County, shot dead through a window

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<sup>226</sup> See note 187 for claims-making in U.S. Civil War historiography.

<sup>227</sup> Twitchell, *The History of the Military Occupation of the Territory of New Mexico*, 321.

<sup>228</sup> Memorial page for Concepcion Pino Ortiz (1 Aug 1852–17 Nov 1894), Find A Grave Memorial no. 184521507, Find A Grave database, Oct. 22, 2017, <https://www.findagrave.com/memorial/184521507/concepcion-ortiz>; Memorial page for Virginia Montoya Pino (21 Feb 1868–29 Mar 1915), Find A Grave Memorial no. 116371441, Sept. 1, 2013, <https://www.findagrave.com/memorial/116371441/virginia-pino>, both accessed March 23, 2018.



at the age of seventy-one on November 26, 1904. He had just been re-elected to the territorial council for his sixteenth session.<sup>229</sup> No one was ever convicted for the murder, though Domingo Valles, the relative of a cattle thief, was arrested a few days afterwards, only to be tried and found not guilty of the crime in August, 1907.<sup>230</sup> Chavez was so noteworthy that for several years after his death, the press continued to connect any prominent men of “desperate character” with the crime.<sup>231</sup> One obituary identified Chavez as “one of the oldest and best known citizens of the territory, having been prominently identified with its history for more than forty years, during which time he held many important positions of honor and trust.”<sup>232</sup> José Francisco Chavez was buried at the National Cemetery in Santa Fe. Notably, his headstone reflects the masculine honor of his military service over any of his many political exploits. Its inscription simply reads, “José F. Chavez, Lt. Col, 1 Regt, N Mex Cav.”<sup>233</sup>

## Conclusion

When taken in tandem and in their entirety, the lives of Nicolás Bautista Pino and José Francisco Chavez are stories that refuse to be easily located along the spectrums between resistance and adaptation, change and continuity, traditionalism and modernism. They, and the small Hispanic New Mexican *rico* class to which they belonged, cannot be neatly characterized

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<sup>229</sup> Twitchell, *Leading Facts*, 400-401 note 326; Gonzales, 791-92.

<sup>230</sup> Mark Thompson, “Who Killed José Francisco Chaves?”, Office of the State Historian of New Mexico website, <http://newmexicohistory.org/people/who-killed-José-francisco-chaves> , accessed March 23, 2018.

<sup>231</sup> “Was He Involved In the Chavez Murder? Keen Interest in the Capture of Lopez. Man Held at Rosewell for the Killing of Luis Padilla Seven Years Ago May Face Other Crimes,” *Albuquerque Morning Journal*, July 30, 1907, 5.

<sup>232</sup> *Rio Grande Republican* (Las Cruces, NM), Dec. 2, 1904, 2.

<sup>233</sup> Memorial page for LTC José Francisco Chavez (27 Jun 1833–26 Nov 1904), Find A Grave Memorial no. 3864990, Find A Grave database, March 4, 2000, <https://www.findagrave.com/memorial/3864990/José-francisco-chavez> , accessed March 23, 2018.

as entirely compliant with or resistant to U.S. colonialism. Nor may they be classified as either unchanging Spanish-colonial antiques or as completely Anglicized integrationists. On the contrary, Pino and Chavez continued to act on and claim a distinct, honorable Mexican identity even as they increased their interactions with the U.S. federal government through the Civil War and in the decades afterwards. Both found conflict with Anglo-Americans that originated from this identity. Chavez bore his out through the written word during and after the Civil War, while Pino plotted a political *coups* during the 1846 U.S. invasion. Yet, in their later lives, both men also recognized the U.S. government's sovereignty over the territory and claimed federal benefits in the form of military pensions. Even as Pino maintained a more traditional *hacendado* lifestyle than J.F. Chavez in the postwar period, he still interacted with new federal institutions such as the U.S. Department of Veterans Affairs and U.S. postal system. Conversely, Chavez, while immensely adept at navigating Anglo politics to suit his own ends, never claimed to be an Anglo-American politician. In fact, he confounded attempts to separate him from his Hispanic New Mexican electorate by publicly defending the honor of Nuevo Mexicano Civil War veterans and refusing to erase his Mexican heritage in arguments for statehood.

What links the stories of Pino and Chavez, then, is the need to maintain their unique identity as *patrones* in their Nuevo Mexicano communities and, in so doing, maintain the established social structures of these communities. This *patrón* identity was as much about wealth and political power as it was about masculine honor, claiming centuries-old roots in the place of one's familial land grant, and defending one's extended family from both Protestant and Indian "heretics". Pino and Chavez, like their fathers and grandfathers before them, derived and maintained their legitimacy as *patrones* not only from their inherited Spanish land grant but from peons seeking out their patronage, an extended Catholic kinship network, the subjugation of

indigenous people, and magnanimity towards the less fortunate in their communities of influence.

All these sources of power shifted during the nineteenth-century, but did not vanish. Rather, the detailed examination of two people who sought this power shows that, as the world changed under the feet of the Pino and Chavez patriarchs, their duties as *patrones* could and did take different forms. On the cusp of U.S. annexation and the possible destruction of the Nuevo Mexicano patrón/peon system, this position motivated Pino and other prominent men to resist U.S. domination. At the outbreak of the U.S. Civil War, mandates of masculine honor originating in traditions of frontier warfare required Pino and Chavez to enlist as officers. In the economic and political turbulence of the postwar period, *patronismo* meant adapting to U.S. federal power structures while simultaneously maintaining the family's economic dominance over inherited lands. Chavez took this one step further and became a *patrón* not only of his Bernalillo County *hacienda*, but of all of Hispanic New Mexico, a fact shown most clearly in his appointments to the territory-wide posts rather than local councils. In the struggle to maintain their culturally distinct socioeconomic position, then, both Nicolás Pino and José Francisco Chavez succeeded, though they did so on differing terms.

We are left with the lives of two men who represent one elite facet of a Hispanic New Mexican community that had its own lexicon of unique, culturally contingent responses to annexation, foreign warfare, and economic change. Their stories demonstrate that this community, to use the words of Mexican microhistorian Luis González, “se sab[ía] una y distinta (knew it was singular and distinct).”<sup>234</sup> The national allegiances, values, and strategies of Nicolás Pino and José Chavez help reveal this distinctive and often-neglected polity on the North

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<sup>234</sup> Luis González, “Introducción a un libro de microhistoria”, 24.

American landscape. This, in turn, contributes to a more nuanced interpretation of pivotal nineteenth-century events that have been understood as having only two dichotomous groups of historical actors; not all communities on the North American continent fit easily into the Civil War binary of “North vs. South” or the neat division between “U.S. colonizer vs. Native colonized” in histories of U.S. Manifest Destiny. The story of the lives of Pino and Chavez show that, while occupying this liminal space between colonizer and colonized, white and non-white, Southern and Northern, Mexican and American, Nuevo Mexicano elites contested the overrun of all their country.

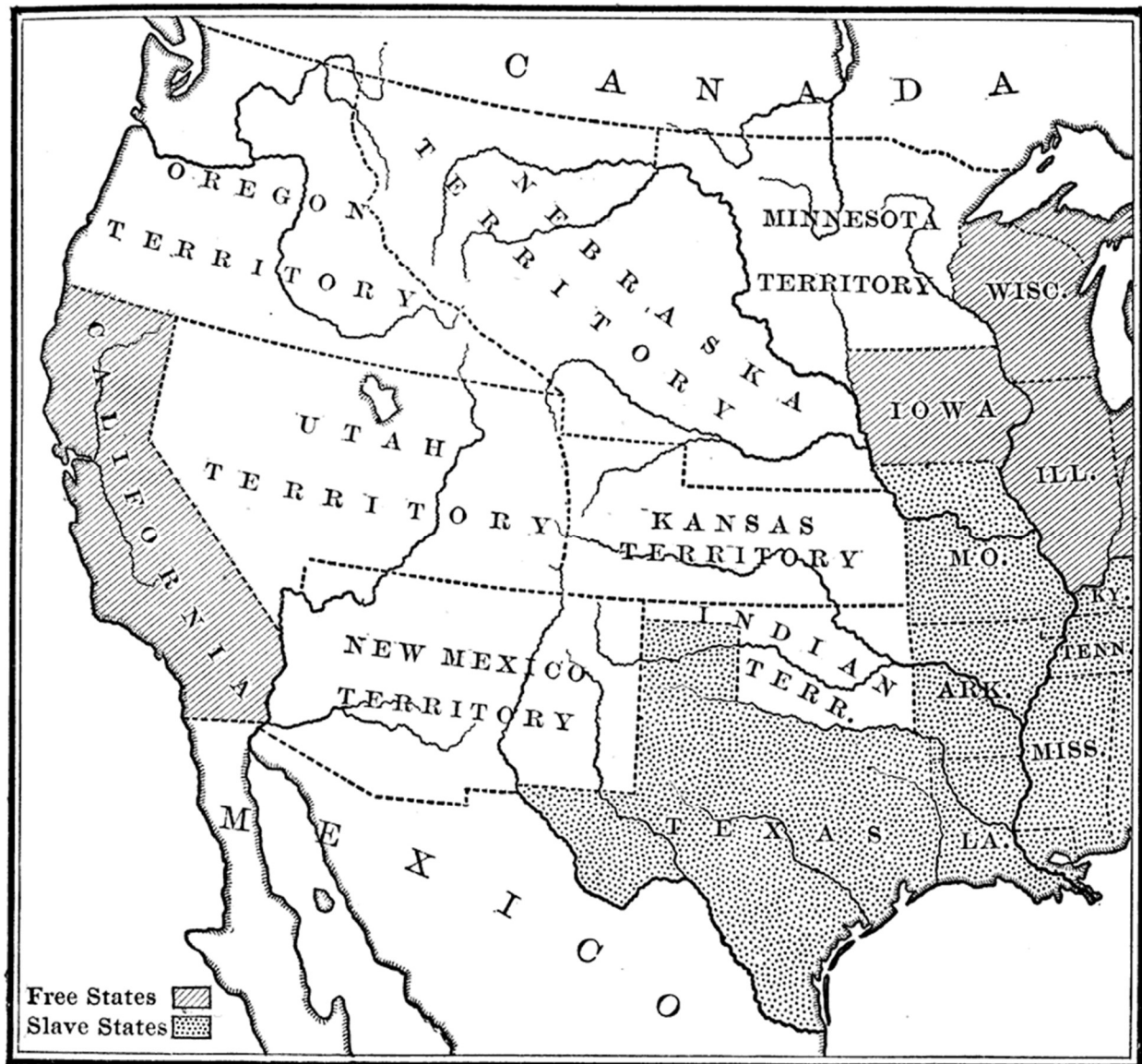
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## Appendix I: Maps

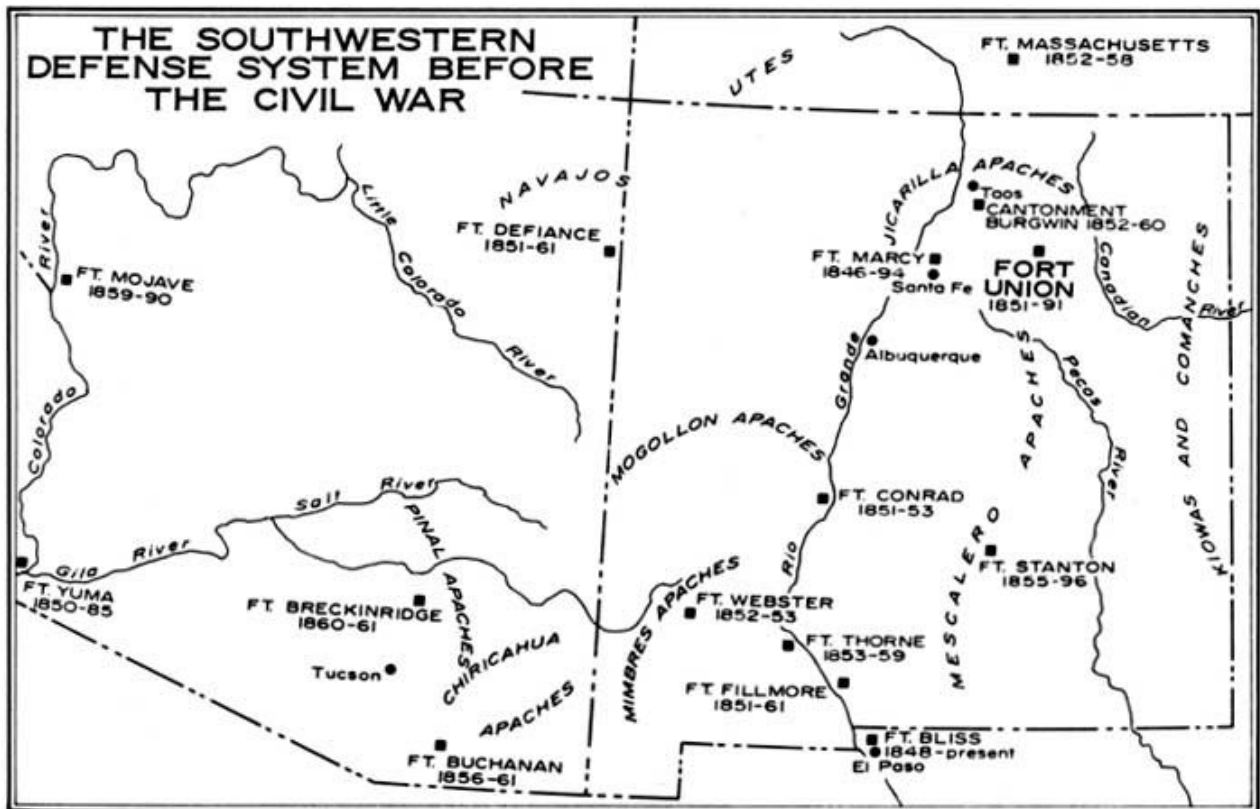
**Figure 1:**

“Our Western Territories, 1854”, Nathaniel Wright Stephenson, *An American History* (Boston, MA: Ginn and Company, 1913), 391. Courtesy of the private collection of Roy Winkelman. Reproduced by Maps Etc., Florida Center for Education Technology, University of Southern Florida College of Education, 2009, <https://etc.usf.edu/maps/pages/9900/9948/9948.htm> . Accessed March 29, 2018.



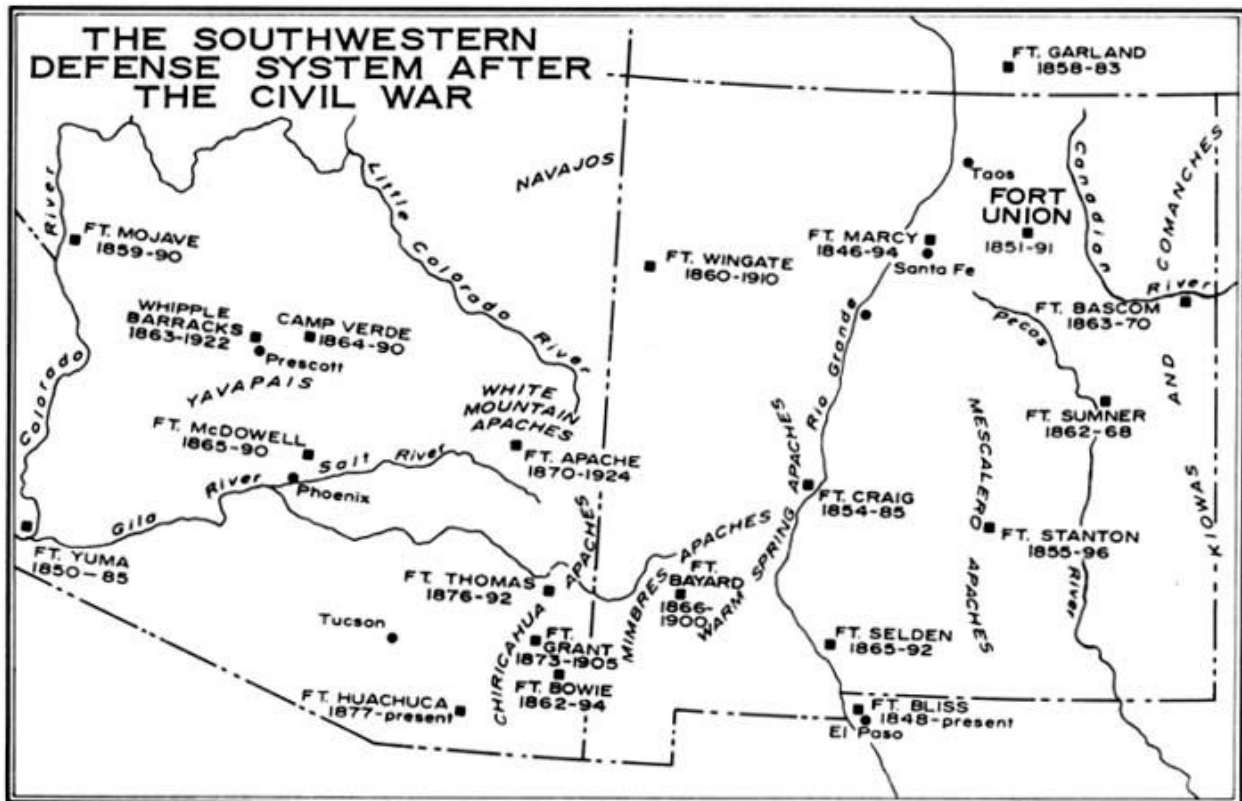
**Figure 2:**

“The Southwestern Defense System Before the Civil War.” National Park Service. *Historical Handbook No. 35* (Washington, D.C.: United States Department of the Interior, 1962). Reproduced at “Fort Union - National Monument”, National Park Service Historical Handbooks website, 2002.  
[https://www.nps.gov/parkhistory/online\\_books/hh/35/hh351.htm](https://www.nps.gov/parkhistory/online_books/hh/35/hh351.htm) Accessed March 16, 2018.



**Figure 3:**

“The Southwestern Defense System After the Civil War.” National Park Service. *Historical Handbook No. 35* (Washington, D.C.: United States Department of the Interior, 1962). Reproduced at “Fort Union - National Monument”, National Park Service Historical Handbooks website, 2002.  
[https://www.nps.gov/parkhistory/online\\_books/hh/35/hh351.htm](https://www.nps.gov/parkhistory/online_books/hh/35/hh351.htm) Accessed March 16, 2018.





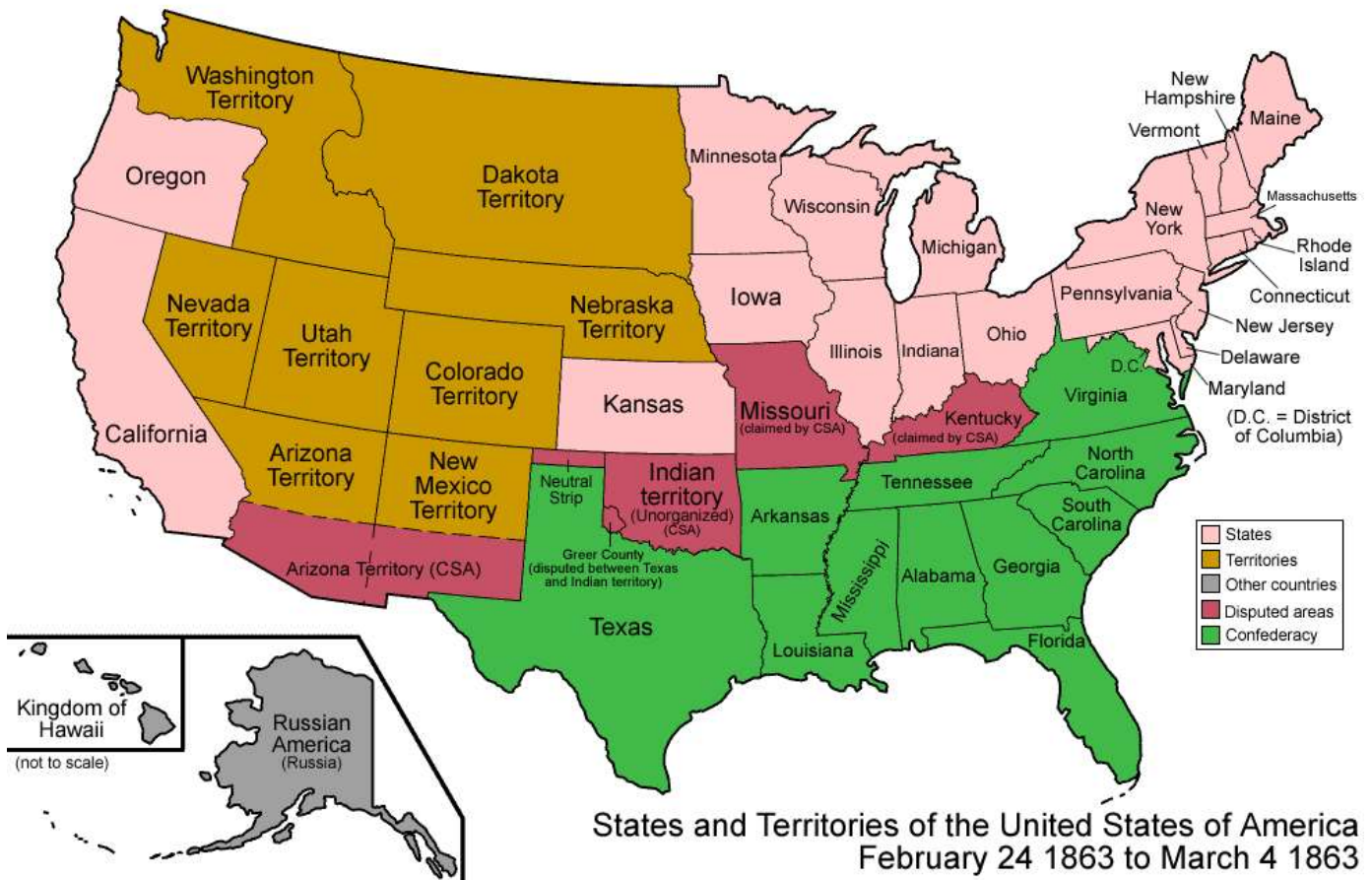
**Figure 4:**

“Map of the states and territories of the United States as it was from February 1863 to March

1863.” Created by User:Golbez, Wikimedia Commons, July 29, 2007.

[https://commons.wikimedia.org/wiki/File:United\\_States\\_1863-02-1863-03.png](https://commons.wikimedia.org/wiki/File:United_States_1863-02-1863-03.png) Accessed

April 11, 2018.



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*I affirm that I have adhered to the Oberlin College Honor Code in this project.*