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## NEW MEXICO AND THE SECTIONAL CONTROVERSY, 1846-1861

*By* LOOMIS MORTON GANAWAY

### CHAPTER V

#### NEW MEXICO—UNION OR CONFEDERACY?

**I**N ALL PARTS of the country the election of Abraham Lincoln foreshadowed a dissolution of the Union to men who had not forgotten warnings emanating from the South prior to the election. Thus, in the weeks which followed, strong pressure was placed upon members of congress to formulate a plan of compromise by which peaceful relations might be restored to the sections.

Perhaps the most important of these compromises was that proposed by Senator John J. Crittenden of Kentucky. He offered for consideration of the senate an "unamendable amendment" by which the Missouri Compromise line would have been extended to the Pacific, and congress would have been forbidden to interfere with slavery in states where it then existed.<sup>1</sup> Such act, of course, would have placed New Mexico within the zone of slavery extension.

In the house of representatives, where the senate debate was being followed intently, Representative Alexander Boteler of Virginia introduced a resolution calling for the formation of a committee of thirty-three members. Its purpose was to consider the Crittenden measures and to

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1. *Congressional Globe*, 36 Cong., 2 Sess., 114.

offer any independent suggestions that might appear practicable.<sup>2</sup> For about five weeks this committee considered numerous proposals. Finally, on January 14, 1861, Thomas Corwin of Ohio, the chairman, reported to the house a plan adopted by a majority of its members, one feature of which was a recommendation that New Mexico be admitted into the Union "with or without slavery."<sup>3</sup>

The proposal of statehood for New Mexico was generally regarded as a concession to the South. Probably, the adoption of a slave code by New Mexico in 1859, was interpreted as proving its allegiance to southern economic and social institutions, despite local conditions that might preclude the rapid advancement of slavery into that region.<sup>4</sup>

In a private letter, of April 8, 1861, Charles Francis Adams, a member of the committee, gave an account of some of the proceedings. According to him, the southerners in the committee and in congress did not regard the New Mexico proposal as of any great advantage to the South. They were much more concerned with guarantees respecting all territories. With reference to the proposed statehood, Adams wrote:

The limit of my concession was then to give the slave-holders a chance to make New Mexico a slave State if they could. To that extent my offer was made in good faith. I did suppose they might make such politically for awhile. But the action of a new government in a different sense would ere long counteract that influence, and the result would in the end be to make one more free state.<sup>5</sup>

Acrimonious attacks upon the New Mexico measure were made by the free state congressmen, but southern members took little or no interest in replying. Otero, the New Mexico delegate, alone attempted to answer them and,

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2. James Ford Rhodes, *History of the United States, from the Compromise of 1850* (8 vols., New York, 1895), III, 267-268.

3. *Congressional Globe*, 36 Cong., 2 Sess., 373, 499.

4. Rhodes, *op. cit.*, III, 267-268, note.

5. *Idem.*

considering his youth and his lack of parliamentary experience, performed well. On January 18, 1861, John Sherman, a member of the house from Ohio, referred to New Mexico during debate on an army appropriation bill.<sup>6</sup> He questioned the actual understanding of the slavery question by the inhabitants. His doubts, he declared, were based upon the probable lack of information that peons, half-breeds, Mexicans, and the few Anglo-Saxons might have on that institution, geographically far removed from that region.

Sherman said that three proposals concerning New Mexico were being considered in congress: first, to retain it in its present territorial status, with its 106,000 inhabitants including twelve slaves; second, to admit it to statehood; third, to adopt the Crittenden proposal; thereby protecting slavery by constitutional amendment in that general region. He thought the first plan the best, said he would support the second, even though objection was being raised not so much to negro slavery as to the "white slavery" or peonage, but expressed determined opposition to the third, because it took authority from congress and from the people of the territory. On several occasions, during Sherman's remarks, Otero interrupted him. When finally given opportunity to reply to these strictures, he arraigned Sherman for what he regarded as slurring references to the people of the territory.<sup>7</sup>

Four days after Sherman's speech, Representative Cadwalader C. Washburn of Wisconsin resumed discussion of the New Mexico proposal, with which he combined a personal attack on Otero. In his opening remarks, Washburn declared that statehood for New Mexico was an unequivocal concession to the slave states, because "the same power and the same party which has adopted in that Territory a slave code . . . will adopt a slavery constitution."<sup>8</sup> He intimated that Otero's interest was prompted by an anticipated senator-

6. *Congressional Globe*, 36 Cong., 2 Sess., 455.

7. *Idem*.

8. *Ibid.*, 514.

ship. Otero, he added, was believed to be "sound" on the slavery question, "for, if I mistake not, he had something to do with getting up the existing slave code in that territory."<sup>9</sup>

At this point in the debate, Otero interrupted Washburn to state that he was "sound" on all questions that were "just." To this, Washburn replied that although New Mexico could not sustain either a free or a slave population because of the natural conditions of the country, it would nevertheless lend its influence in favor of slavery. That, he said, was what he had in mind by asserting that it would be a slave state.<sup>10</sup>

During a further discussion of the issue in the lower house of congress, on January 29, Thaddeus Stevens of Pennsylvania referred briefly to New Mexico. He remarked that the committee of thirty-three had indeed shown its estimate of the magnitude of southern grievances by offering to admit New Mexico into the federal union of states:

They offer to admit as a State about two hundred and fifty thousand square miles of volcanic desert, with less than a thousand white Anglo-Saxon inhabitants, some forty or fifty thousand Indians, Mustees and Mexicans, who do not ask for admission, and who have shown their capacity for self government by the infamous slave code which they have passed, which establishes the most cruel kind of black and white slavery.<sup>11</sup>

In reply to this attack and to others of like character, Otero refuted the imputation that the people were incapable of self-government. He further denied that New Mexico had come into the Union a free territory, later to be converted to slavery by "influences from this capital."<sup>12</sup> One explanation which Otero offered for the adoption of the slave code was that, until the compromise measures of 1850

9. *Ibid.*, 514-515.

10. *Ibid.*, 515.

11. *Idem.*

12. *Ibid.*, 761.

were adopted, the law of Texas, recognizing slavery, extended over the eastern part of what was now New Mexico.<sup>13</sup> The United States had acknowledged the Texan claim, he said, by paying to the state of Texas \$10,000,000. For a delegate, a native of New Mexico, to concede any Texan claim was an illuminating admission to those members of the house who had served in congress in 1850. Then, petitions from the territory and from hundreds of places throughout the North protested any concessions to Texas.

The proposal for statehood never gained much momentum in the house. On March 1, 1861, a bill for the admission of New Mexico was tabled by a vote of 115 to 71,<sup>14</sup> the Republicans opposing the measure. The relations between New Mexico and the nation were so unimportant that in the turbulent period through which the country was then passing, most of the congressmen probably gave this territory no further thought.

Shortly after Representative Corwin had let it be known that statehood was being proposed as one measure in the compromise between the sections, Horace Greeley wrote an editorial for the *New York Tribune* titled "New Mexico."<sup>15</sup> He declared that this in reality meant "the virtual surrender of New Mexico to slavery," and he expressed regret that such possibility was being "meditated by leading Republicans in Washington" as a means of pacifying the South. Greeley maintained that the natural conditions of New Mexico had not changed in the ten years since Webster had avowed that nature had already settled the slavery issue in that region. He cited an offer that he said had been made during the previous year by Washington Hunt, who reputedly had stated that he would be willing to pay a thousand dollars to any slaveholder who even wished to take his slaves to New Mexico.<sup>16</sup>

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13. *Idem.*

14. *Ibid.*, 1326.

15. *New York Tribune*, December 31, 1860.

16. *Idem.*

Greeley expressed the belief that had New Mexico been created a state in 1850, it would have been free; but, he added, "under the last two Democratic administrations, systematic efforts have been made to plant slavery in New Mexico."<sup>17</sup> As to the means employed by southern interests, he said:

Zealous Slavery Propagandists fill all the important Federal Offices. Pro-Slavery Army Officers have been sent there, taking slaves with them. The Border Ruffians who were finally beaten out of Kansas have migrated thither in platoons, and some of them have been appointed to important Federal posts. A Slave Code of signal atrocity and inhumanity has been put through the Territorial Legislature, and is now in full force.<sup>18</sup>

In addition to territorial officers, army men, and the so-called "Border Ruffians," Greeley said southern interests in New Mexico had been strengthened by the appearance of the "scum of southern rascaldom," who had been driven out of San Francisco and who had found refuge in southern New Mexico.

Like Thaddeus Stevens, Greeley reserved his most castigating criticism for the natives, of whom he wrote:

The mass of the people are Mexicans—a hybrid race of Spanish and Indian origin. They are ignorant and degraded, demoralized and priest-ridden. The debasing Mexican system of peonage—a modified slavery—is still maintained there. A few able and unscrupulous men control everything. The masses are their blind, facile tools. There is no Press of any account; no Public Opinion; of course, no Republican party. Slavery rules all.<sup>19</sup>

In concluding the editorial, Greeley expressed the opinion that Lincoln would recognize the evil forces operating in the territory and correct the conditions immediately.

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17. *Idem.*

18. *Idem.*

19. *Idem.*

In a public letter of January 6, 1861, Otero replied to the Greeley editorial, and a few weeks later, issued a pamphlet which included the Greeley charges and his reply.<sup>20</sup> In answering Greeley, Otero said that recent events had placed a party in power that was purely sectional "in its origin, in its principles, and its powers." The Republican party represented a minority of the American people, he continued, and had succeeded in gaining control of the federal government "—if any Government exists at all—" by concentrating its whole strength in one section of the country. By nurturing the prejudices, inflaming the passions, exciting the animosities, and bribing the interests of the free states, the Republican party had so strengthened itself that it could now attack the rights, the character, and the interests of the South. The result of this attack was a threat to the existence of the federal union of states.

Otero then replied to that part of the Greeley article that had characterized the Mexicans as lacking intelligence. He said that a test of their mentality would shortly follow, for with the induction of Lincoln into office, the region would doubtless be overrun with "a flood of emissaries, bent on ingratiating themselves among the people of the territory." These enemies of peace, he said, would not be satisfied with the repeal of laws for the protection of property in slaves, but would seek to destroy "your sanctified religion, your civil rights, your social ties, your customary rights so well adapted to your condition."<sup>21</sup>

In justifying the action of the territorial legislature at the adoption of a slave code, Otero said that the people of New Mexico had recognized "the right of the citizens of the different states to take with them into the common domain . . . every lawful species of property." The slave code, he added, was not one of "signal atrocity," but he admitted that Greeley might have found some basis for such an accusation

20. *An Abolition Attack upon New Mexico and a reply by Hon. M. A. Otero* (Santa Fé, 1861).

21. *Idem.*



in that section of the code, forbidding marriage of white persons and negroes. This would impose "a restraint upon the exercise of a taste which the ultra members of his party occasionally evince."<sup>22</sup> Otero categorically denied any conspiracy to "convert" New Mexico to slavery by sending civil and military officials into the territory. He declared that not once had the question of attitudes on sectional issues been considered by him when making recommendations for territorial appointments.

The imputation that "conspiracy in the very bosom of the national administration at Washington"<sup>23</sup> existed for the advancement of southern interests in New Mexico during the Pierce and Buchanan administrations was made so frequently that the available evidence necessitates investigation. Because the original indictment was lodged against Otero, Jefferson Davis, and others in Washington, it has been generally accepted by a school of writers who have failed, however, to indicate the basis for their allegations.<sup>24</sup> A search through the appointment papers of the state, justice, and interior department files from the date of the territorial enabling act of 1851 until 1861, and a study of much personal correspondence of the same period do not warrant full acceptance of the Greeley indictment.

As the fountain-head of the so-called southern conspiracy, one should note the responsible officials in Washington, who were in a position to place southern men in territorial positions during this period. Three southerners were present in the cabinet of President Pierce; the secretary of the navy, James C. Dobbin of North Carolina; the secretary of the treasury, James Guthrie of Kentucky; and the secretary of war, Jefferson Davis of Mississippi. Of

22. *Idem.*

23. Elijah R. Kennedy, *The Contest for California in 1861* (New York, 1912), 67.

24. Perhaps the first writer to accept the indictment was Bancroft, *History of Arizona and New Mexico*, 680; among others have been Twitchell, *Leading Facts of New Mexican History*, II, 360-361; Rhodes, *History of the United States, from the Compromise of 1850*, III, 312-313. Kennedy, *The Contest for California in 1861*, 64-72, believed the "conspiracy" extended throughout the West.

this group only Davis by his position was directly able to send southern men to New Mexico. Investigation does not show, however, that a preponderant number of southerners served in the military forces there during his term of office. It is true that Colonel Thomas T. Fauntleroy, a Virginian, replaced Colonel Edwin V. Sumner, a native of Massachusetts, as commandant of the Ninth Military Department during Secretary Davis' tenure. However, evidence does not indicate any activity by Fauntleroy in advancing southern interests in New Mexico. He was far too much occupied with subjugating recalcitrant Indians to have given much thought to sectional matters.

In the Buchanan administration, four executive departments of the cabinet were directed by southerners at various times. Howell Cobb of Georgia and Philip F. Thomas of the border state of Maryland held the office of secretary of the treasury; Aaron V. Brown of Tennessee and Joseph Holt of Kentucky directed the post office department; Jacob Thompson of Mississippi was the secretary of the interior; and John B. Floyd of Virginia, and Holt were in the war department. Although other southerners in Washington may have been able indirectly to affect territorial appointments in New Mexico, the appointment papers, which ordinarily should reveal any great activity by such groups do not justify this conclusion.

Furthermore, if Presidents Pierce and Buchanan, as their critics charged, were under the domination of southerners, they would scarcely have been beguiled so thoughtlessly into a conspiracy which would have represented a violation of their trust. Because every major territorial appointment was made upon the recommendation of the president, subject to the approval of the senate, a "central cabal" of southerners probably could not have blinded both the executive and legislative officials.

The following table shows the position, the name of the appointee, the state from which appointed, and the date of the commission for all important officials from the establish-

ment of territorial government in New Mexico in 1851 through the first appointments of President Abraham Lincoln.<sup>25</sup>

*Governor*

James S. Calhoun	Georgia	January 9, 1851
William C. Lane	Missouri	July 15, 1852
	(native of Pennsylvania)	
David Meriwether <sup>26</sup>	Kentucky	May 6, 1853
	(native of Virginia)	
Abraham Rencher	North Carolina	August 17, 1857
Henry Connelly <sup>27</sup>	New Mexico	May 24, 1861
	(native of Virginia)	

*Territorial Secretary*

William S. Allen	Missouri	March 12, 1851
John Greiner	Indiana	June 28, 1852
Wm. S. Messervy	New Mexico	April 8, 1853
	(native of Massachusetts)	
W. W. H. Davis	Pennsylvania	May 22, 1854
Alexander M. Jackson	Mississippi	September 16, 1857
	(native of Ireland)	
Miguel A. Otero	New Mexico	May 24, 1861
	(not confirmed by senate)	
James H. Holmes	Vermont	July 26, 1861

*Territorial Judges*

Grafton Baker	Mississippi	February 19, 1851
Horace Mower	Michigan	March 6, 1851

25. Clarence Edward Carter, ed. and comp., *The Territorial Papers of the United States*. Preliminary printing of volume I. (Washington, 1934). The appointment papers in the State, Justice, and Interior Department Records, National Archives, have also been used in this table.

26. Variant spellings of this name were: Merriwether, Merriweather, and Meriweather.

27. Although most writers of New Mexico history state that Connelly was born in Kentucky, according to his own statement he was born in Virginia and removed with his family to Kentucky at the age of four. N. A., State Department Records, Appointment Papers, Henry Connelly Papers.

John S. Watts	-----Indiana-----	March 6, 1851
Kirby Benedict	-----Illinois-----	April 5, 1853
	(native of Connecticut)	
James S. Deavenport	__Mississippi_____	April 5, 1853
Perry E. Brocchus	___Maryland_____	February 8, 1854
Thomas B. Stephenson	Pennsylvania___	February 10, 1858
	(native of Kentucky)	
William F. Boone	-----Pennsylvania-----	June 14, 1858
	(native of Connecticut)	
Zachariah L. Nabers	___Alabama-----	June 14, 1858
William G. Blackwood	___Missouri-----	February 16, 1859
	(native of South Carolina)	
William A. Davidson	___New Mexico_____	January 24, 1860
	(native of ?)	
Perry E. Brocchus	___Maryland_____	January 24, 1861
Sydney A. Hubbell	___New Mexico_____	April 30, 1861
	(native of Connecticut)	

This list of officials shows that, with the exception of Lane, all the governors including Connelly, who was appointed by Lincoln, were natives of southern or border states. Lane, though born in Pennsylvania, had been a resident of the border state of Missouri for many years, prior to his appointment in New Mexico. Only one territorial secretary, Jackson, was from a southern state, although Allen was appointed from Missouri. Of the territorial judges, Baker, Deavenport, Nabers, and Blackwood were natives of southern states, and Brocchus and Stephenson were from border states. Nabers and Davidson, although appointed, apparently did not accept the positions.

The military records for this period likewise deserve consideration. From 1851 until 1863, New Mexico was the ninth military department of the United States. It was commanded in 1851-52 by Colonel Edwin V. Sumner of Massachusetts, but Sumner was replaced during Jefferson Davis' tenure in the war department by Colonel Thomas T. Fauntleroy of Virginia. From 1854 until 1858, General

John Garland of Virginia was in command. He was succeeded by Colonel B. L. E. Bonneville, of New York. In 1859, Fauntleroy returned to New Mexico, but early in 1860, Colonel W. W. Loring of North Carolina was given command of the department, a position which he held until he resigned in order to join the Confederate army. With respect to Loring's appointment, a writer of New Mexico history has said:

Early in 1860, the secretary of war, Floyd, sent Colonel W. W. Loring, of North Carolina, to command the department of New Mexico, while George B. Crittenden, who had been sent out for the same purpose as Colonel Loring, was placed by the latter in command of an expedition against the Apaches. . . . It was the business of these men to attempt the corruption of the patriotism of the officers under them and to induce them to lead their men into Texas and give them to the service of the rebellion.<sup>28</sup>

According to the *Santa Fé Gazette* of May 25, 1861, among the officers in New Mexico who had resigned their commissions in the United States Army in order to serve the Confederacy were Major H. H. Sibley, a brother-in-law of Colonel E. R. S. Canby, Captain Dabney Maury of Virginia, Captain Andrew Jackson Lindsay of Mississippi, Captain John Stevenson of Virginia, Colonel John Grayson of Kentucky, and Major James Longstreet of Alabama. The *Gazette* in noting these resignations added:

All of these officers rank high in the service and in their resignations the Department of New Mexico will suffer a serious loss, that will not be easily repaired. They will doubtless readily obtain positions in the army of the Confederate States to which their rank and efficiency entitle them.<sup>29</sup>

28. Twitchell, *Leading Facts of New Mexican History*, II, 359-360. According to Loring's account, he arrived in New Mexico on March 22, 1861, W. W. Loring to Assistant Adjutant General L. Thomas, *Santa Fé*, March 23, 1861, N. A., War Department Records, Headquarters of the Army.

29. *Santa Fé Weekly Gazette*, May 25, 1861.

After Otero had answered Greeley's editorial, charging corruption in the appointment of territorial officers, he remained in Washington during the critical period following Lincoln's election. From there, he addressed a public letter to the people of New Mexico, in which he said that the election of Lincoln should not destroy the Union, because the president would not have control of congress. As to his own position, he added:

God knows I am far from being a Republican either in principle or feeling. I would fight that party to the bitter end. But I don't think it necessary to dissolve the Union merely because that party happens to elect a President, . . . If a dissolution of this country should take place, we of New Mexico will be expected to take sides with one of the two or three or four of the Republics into which it would be divided. What will be the determination of the people of New Mexico if such deplorable consequences should come to pass, I cannot say. My own opinion and my counsel to them would be, in that event, a union with the Pacific free states, west of the great prairies. If California and Oregon declare their independence of this Government I am for joining them.<sup>30</sup>

Otero's proposal that New Mexico join "with the Pacific free States" rather than with a confederacy of southern states was his first public statement suggesting anything but the most avowed pro-southern sympathy. It is difficult to comprehend this shift from his former position, and it apparently may be understood only by recalling that Otero, himself, felt no strong tie of affection for the South, his relations to that section coming largely through the influence of his wife.

This explanation was offered by William Need, a soldier stationed in New Mexico, who wrote frequently to

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30. *Santa Fé Weekly Gazette*, May 25, 1861.

officials in Washington.<sup>31</sup> In a letter to the secretary of war he said of Otero's attitude with respect to the sectional controversy, upon the delegate's return from the national capital:

Southerners here and elsewhere are generally believed to have relied too much on the support of Miguel Otero, an educated native, who has been representing the territory in Congress for several years; so far, he hasn't lived up to expectations. His wife is an open secessionist, but so far has been unable to influence her husband to the point of an open support of the rebel government. . . . Otero sees no advantage to Otero in lending a hand to the secessionists, but professes to be a Union man, but like Connelly, I think he is a *neutral* Union man; and can "jump on either side of the fence."<sup>32</sup>

In the fall of 1860, John S. Watts was elected delegate to congress. The exact date in 1861 of Otero's return to New Mexico from Washington is not certain. If he had chosen to remain in Washington, he would have found few friends. Most of the people with whom he had been closely associated had followed their states into the Confederacy. At Santa Fé, where he resided after his return, Otero did not speak in support of the Confederacy; neither did he become a strong Union man. His influence among the natives was great, and it is possible that he counselled them to await the developments of the war before actively engaging themselves on either side. If he had taken a strong position at any time during the summer or autumn of 1861, the local press and the official and private correspondence from New Mexico on some occasion probably would have noted it. Temporarily, he withdrew from all political

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31. Need particularly addressed communications to officials of the state and war departments. He was a printer by trade, and his letters would suggest a man of considerable education. His correspondence, of an extremely partisan nature, none the less offers one interpretation of events then transpiring in New Mexico.

32. William Need to Simon Cameron, Fort Fauntleroy, date [?]. N. A., War Department Records, Secretary of War Document File.

activity, although Mrs. Otero, with numerous family connections in the Confederate forces, made no secret of her sympathy for the South. Perhaps, consciously or otherwise, the course followed by Otero was influenced by his appointment as territorial secretary. This was received by him in Santa Fé in July 1861, and although it was not confirmed and James H. Holmes was appointed (July 26, 1861) in his stead, yet Otero did actually serve for several months.

Seemingly, the attitude of practically the entire population was one of indifference to events transpiring in other parts of the country. Some individuals, largely among the Anglo-American population, had assumed definite positions, but in their efforts to win support of the native population, all attempts failed.<sup>33</sup> In an editorial in the *Gazette* of July 13, 1861, John T. Russell, the editor, in noting the calmness of the inhabitants, said:

What is the position of New Mexico? The answer is a short one. She desires to be let alone. No interference from one side or the other of the sections that are now waging war. She neither wants abolitionists or secessionists from abroad to mix in her affairs at present; nor will she tolerate either. In her own good time she will say her say, and choose for herself the position she wishes to occupy in the new disposition of the now disrupted power of the United States.<sup>34</sup>

Russell's neutral position was challenged by Kirby Benedict, one of the most militant Union supporters in the territory. He declared that many of the exponents of Russell's ideas were advising neutrality only because of the pressure of federal troops in New Mexico. In what he termed "an entirely private letter" addressed to President

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33. Edward D. Tittman, "The Exploitation of Treason," *New Mexico Historical Review*, IV (1929), 128-145, gives interesting information on indictments, trials, confiscations, etc., that were carried on in New Mexico for several years after 1862.

34. N. A. Justice Department Records, Attorney General MSS., papers of Judge Kirby Benedict including editorial from the *Gazette*. This collection also includes copies of the *Arizonian* published at Tucson and the *Mesilla Times*, "Mesilla, Arizona." Mesilla is now a part of New Mexico, but was the capital of the Confederate Territory of Arizona during the occupation of that region by Confederate troops.



Lincoln, he expressed doubt concerning the loyalty of many residents in the territory. Then, he attempted to give the president a summary of the political events in New Mexico that had finally brought it to a "faltering faith in the Union."<sup>35</sup>

Although he expressed his belief that "rampant secessionists" were becoming less open in their abuse of "the Union and the North and her men,"<sup>36</sup> he attributed much of the present trouble to President Buchanan's failure "to give any of the free states much chance in the appointments for New Mexico."<sup>37</sup> According to Benedict, southern officials had been instrumental in bringing into the territory "southern extremists," who not only wanted to improve their economic position but were determined to impose their own customs on the inhabitants. At present, these southerners, he added, were actively engaged in spreading rumors "that the government was destroyed, that the confederacy was carrying everything before it, that Missouri was sure to secede, and that N. Mexico must do as that state does."<sup>38</sup>

At the time of Benedict's letter to Lincoln in June, 1861, people in the territory had not yet learned of Governor Rencher's removal. In his letter to the president, Benedict expressed grave doubts as to the wisdom of retaining a man in office who had remarked that if North Carolina, the native state of Rencher, "goes out, he must share her fate."<sup>39</sup>

Rumors questioning the loyalty of the governor were likewise being circulated. In a letter to Secretary of State Seward, Rencher complained that stories were being printed in eastern papers of his having led successfully a revolution in Santa Fé and of having captured Fort Marcy adjoining the town. He expressed the most profound resentment at

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35. Kirby Benedict to Abraham Lincoln, Santa Fé, June 2, 1861. N. A., Justice Department Records, Attorney General MSS.

36. *Idem.*

37. *Idem.*

38. *Idem.*

39. *Idem.*

this defamation; in at least one instance, he had demanded a retraction.<sup>40</sup>

In another communication to Edward Bates, the attorney general of the United States, Governor Rencher regretted the lack of accurate information that was reaching the territory. New Mexico, he said, depended mostly on rumors that circulated freely. To all reports concerning the war, the natives remained generally apathetic because they were too much consumed by the serious internal problems, particularly that of the Indians. For this reason he doubted the probability of any active participation by the people of New Mexico in the "bloody sectional conflict."<sup>41</sup>

The governor was well justified in his opinion. Since February, 1861, the Navahos and Apaches had been renewing hostile operations throughout the territory. The conditions of travel were reported as never more unsafe.<sup>42</sup>

This renewal of warfare resulted in part from the withdrawal of federal troops in the extreme limits, especially western New Mexico. The Indians laid waste the country, attacked villages, made captive numerous women and children, and sent the inhabitants scurrying to fortified places.<sup>43</sup> To add to this turmoil, the troublesome elements among the Mexicans seized the opportunity to show general disregard for law.<sup>44</sup>

Equally important with the removal of federal troops as a cause of the depredations was the realization among the discontented elements of weaknesses in the military. The Indians were apparently aware of the disruption in the army, occasioned by the resignations of officers who were hastening to the South.

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40. Rencher to Seward, Santa Fé, April 20, 1861, N. A., State Department Records, Territorial Papers, II.

41. Rencher to Bates, Santa Fé, June [?] 4, 1861, N. A., Justice Department Records, Attorney General MSS.

42. Benedict to Bates, Santa Fé, n.d., N. A., Justice Department Records, Attorney General MSS.

43. Rencher to Seward, Santa Fé, August 10, 1861, N. A., State Department Records, Territorial Papers, II.

44. Loring to Assistant Adjutant General L. Thomas, Santa Fé, March 23, 1861, N. A., War Department Records, Headquarters of the Army.

As a result of the chaotic conditions that prevailed throughout New Mexico during the summer of 1861, the peaceful inhabitants lost faith in the ability of the federal military forces to protect them. Colonel Edwin Canby, who succeeded Colonel Loring as commandant of the Ninth Military Department, endeavored to raise a volunteer force, but in this he was not entirely successful.<sup>45</sup> The natives were warned by southern sympathizers that if they joined such force, a Texan army then on the borders of New Mexico would supply the Indians with arms to attack them. Confederate agents were reported among the Navahos for the purpose of forming a military alliance, from which the Indians were to receive much booty.<sup>46</sup> Although these reports were circulated by southern sympathizers to weaken federal prestige, Colonel Canby and his associates used the same rumors with some effectiveness as incentives for the enlistment of Mexicans. "Kit" Carson worked diligently with Canby, and to him was attributed the success of having gained the support of prominent natives, who were rewarded with commissions in the Union army.<sup>47</sup>

If it was expected that Rencher as governor of New Mexico would support Colonel Canby in his program, he failed to respond to any solicitations. Instead, he exerted no effort to arouse the inhabitants either to the necessity of defending themselves against the Indians or against the threatened invasion of the Texans. The negative attitude of the governor was taken by his enemies as a further proof of his disloyalty.<sup>48</sup> Consequently, when the information finally reached Santa Fé in the summer of 1861 that Henry Connelly had been appointed to succeed Rencher, a positive pro-Union policy was anticipated by federal adherents. At the same time, Miguel Otero was notified that he had been

45. Rencher to Seward, Santa Fé, August 10, 1861, N. A., State Department Records, Territorial Papers, New Mexico, II.

46. Benedict to Bates, n.d., Santa Fé, N. A., Justice Department Records, Attorney General MSS.

47. Kit Carson MS., Bancroft Library.

48. William Need to Secretary Seward, Santa Fé, August 8, 1861, N. A., State Department Records, Miscellaneous Letters.

named territorial secretary, replacing Alexander Jackson, who was with the Confederate army in Texas.<sup>49</sup>

To some ardent Union men, these appointments may have appeared injudicious, in view of Connelly's tacit support of the slave code and Otero's professed admiration of southern institutions. Both appointments were made on the recommendation of Associate Justice John Watts, in whose integrity and judgment President Lincoln was said to have had the greatest confidence. Both men, Watts believed, exerted the widest influence in New Mexico, and, having been assured personally of their loyalty, he impressed upon the president the necessity of naming them.<sup>50</sup>

Although Connelly was a native of Virginia, and had lived in Kentucky and Missouri, he had been in New Mexico since 1828. In New Mexico's abortive effort for statehood in 1850, Connelly had been elected governor, and since that time, he had been a member of the National Democratic party of the territory. Despite his declared support of this party, Connelly, reports said, could not hear the name of Jackson or Buchanan without cursing.<sup>51</sup> The *Gazette* regarded the appointment as "good and a compliment to Connelly's long residence in the territory." His marriage to a member of a prominent native family and his wealth were regarded as important factors in his having been named. Not so favorably was it received by William Need, who wrote to Secretary Seward:

The appointment of Dr. Henry Connelly of Peralto [Peralta] is one that *should not have been made*. In the first place Dr. Connelly is a native of Kentucky; has resided in New Mexico some 20 or 25 years. Is a respected citizen, fond of making money and hoarding it up. He is intermarried

49. Frederic W. Seward, Assistant Secretary of State, to Miguel Otero, Washington, May 25, 1861, N. A., State Department Records, Domestic Letters.

50. John S. Watts to Abraham Lincoln, memorandum, N. A., State Department Records, Appointment Papers, Applications for Office; the Santa Fé *Gazette*, February 15, 1862, discussed the wisdom of the appointments.

51. Spruce M. Baird to Jacob Thompson, n.d., n.p., N. A., Interior Department Records, Secretary's Office, Appointment Division, Incoming Papers, 1857-1866.

with a native of this country and is reputed to be *rich*. He has always been a *Pro-Slavery* man—was in favor of the introduction of slavery into the Territory, and owned negroes *here* until within a comparatively short period. A year or two ago he took the last of his slaves from this Territory to the States and *sold them*. He is now a professed *neutral* Union man, provided the Union cause is the strongest. According to the oral statement of Col. John B. Grayson, late commissary in the U. S. Army, and a native of Kentucky, Dr. *Connelly agreed with him in opinion on the slavery question*, and Col. Grayson is a secessionist, *per se*.<sup>52</sup>

Need's account of Connelly's record although generally correct, was an attempt to depict the governor as secretly sympathetic with the Confederacy, if not actually in league with its agents. His assumptions were never in greater error. Connelly probably had expressed pro-slavery sentiments in the past. Need, in fact, might have alluded to Connelly's membership in the session of the territorial legislature that had so readily passed the slave code to which he had apparently lent his support. What Need and other critics failed to see was that although Connelly may have been at one time a pro-slavery man, he was at no time an advocate of secession.

Governor Connelly, whose years in New Mexico had given to him a thorough understanding of the Mexican temperament, recognized the futility of attempting to arouse the natives by an appeal to preserve the Union or to other pleas that were advanced by Union adherents in other sections of the country. He did believe, however, that hatred for Texas and Texans could be revived. Thus, in the weeks following his induction as governor, Connelly travelled through northern New Mexico, making addresses and writing many letters. He reminded the people of the Texan claim to all New Mexico east of the Rio Grande, of

52. William Need to Secretary Seward, Santa Fé, August 8, 1861, N. A., Miscellaneous Letters.

the ruthlessness of the Texans, and of the manner in which the fathers of the present generation of fighting men had once repulsed the Texan invaders.<sup>53</sup> The fact that a Confederate force, largely of Texans, had occupied the extreme southern limits of New Mexico since July made the governor's appeals for enlistments more realistic to the lethargic natives. In a proclamation issued at this time in Spanish and English, the governor said:

... This enemy is Texas and the Texans. . . . They threaten you with ruin and vengeance. They strive to cover the iniquity of their marauding inroad, under the pretense, that they are under the authority of a new arrangement they call a Confederacy, but in truth a rebel organization. . . . Their long smothered vengeance against our Territory and people, they now seek to gratify.<sup>54</sup>

In another proclamation dated September 9, 1861, he again counseled:

Citizens of New Mexico, your territory has been invaded, the integrity of your soil has been attacked, the property of peaceful and industrious citizens has been destroyed or converted to the use of the invaders, and the enemy is already at your doors. You cannot, you must not, hesitate to take up arms in defense of your homes, firesides and families. Your manhood calls upon you to be alert and to be vigilant in the protection of the soil of your birth, where repose the sacred remains of your ancestors and which was left by them as a rich heritage to you, if you have the valor to defend it.<sup>55</sup>

That the governor was experiencing the greatest difficulty in enlisting a volunteer force was revealed in a letter

53. John S. Watts who had gone to Washington to confer with officials in the summer of 1861, noted the activity of Governor Connelly in a letter to President Lincoln. Watts to Lincoln, n.d., Washington, N. A., Justice Department Records, Attorney General MSS.

54. Henry Connelly, *Address to the People of New Mexico*, broadside, Huntington Library Collections.

55. Henry Connelly, *Address*, September 9, 1861, N. A., State Department Records, Territorial Papers, II.

by Canby to an army official. He wrote that in his opinion the natives would take steps for the defense of the territory "with great tardiness, looking with greater concern to their private and petty interests." He also feared that their personal and political quarrels were of greater importance to them than defending the country against aggression. As to their fighting ability, he anticipated nothing, "unless strongly supported by regular troops."<sup>56</sup>

Under such circumstances, Governor Connelly, Colonel Canby, and their subordinates worked to save New Mexico to the Union. Strong means were employed in some instances to quiet what the governor called "the disaffected element." A number of men were placed under military guard and others merely cautioned. Spruce M. Baird, a friend of the governor's for a decade, was arrested and later suffered confiscation of his property.<sup>57</sup> The *Santa Fé Gazette* that had begun as an abolitionist newspaper and eventually had become the strongest pro-southern newspaper in New Mexico, now ceased its attacks on abolitionism, Abraham Lincoln, and what it had formerly termed "northern tyranny." According to William Need, the *Gazette* had been induced to change its editorial policy by being well paid for publishing official documents.<sup>58</sup>

In November, 1861, the governor announced his support of a measure to be introduced at the next session of the legislature for the repeal of the slave code. He described the code as "not congenital with our history, our feelings or interests."<sup>59</sup> When the legislature convened during the following month, among the first measures considered was a bill for the repeal of this act.<sup>60</sup> No opposition developed,

56. A. A. Hayes, "The New Mexico Campaign of 1862, a Stirring Chapter of our late Civil War," *Magazine of American History*, XXV (1886), 173.

57. William Need to Simon Cameron, Fort Fauntleroy, New Mexico, September 27, 1861, N. A., War Department Records, Secretary of War Document File.

58. *Idem*.

59. Henry Connelly, *Address to the People of New Mexico*, broadside, Huntington Library Collections.

60. *Laws of the Territory of New Mexico. Passed by the Legislative Assembly, Session of 1861-1862.*

and it was repealed immediately. The governor and the members of the legislature did not feel the necessity of taking action on Indian slavery or of withdrawing the more stringent clauses of the laws of peonage.

In a message to the legislature, Connelly made a statement of faith in the cause of the Union, and condemned the action of southern states that were unwilling to settle differences of opinion by peaceful methods. He stated that although New Mexico might have given cause for assertions that the territory was sympathetic to the South, the people had remained steadfast in their loyalty to the federal government. He noted that although New Mexico could not furnish troops for participation in the war beyond its limits, the people had the opportunity of showing their loyalty in other ways. By the purchase of government bonds, bearing 7.3% interest and tax exempt, the patriots in New Mexico could prove to the older sections that the people of the territory believed in the inviolability of the Union. Finally, the governor called attention to a levy of \$63,000 placed on New Mexico by the federal government for support of war measures. He expressed confidence, however, that this would be repealed, once the federal authorities realized the impossibility of raising so large a sum in a region that had been made desolate by recurring Indian depredations.<sup>61</sup>

In another address delivered shortly thereafter, Connelly assailed the Confederacy:

We have no interests to promote, by being drawn within the destinies of the rebels and rebellion. All in that direction is danger and ruin. Listen not to their agents or emissaries, whether sent for mischief, or shall be found as traitors, living among us. In the midst of our wrongs and dangers, neutrality is without excuse. He that is not with us, is for the rebels and rebellion, and his sympathies favor the invaders.—The Texans may circulate

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61. *The First Annual Message of Governor Connelly . . .*, December 4, 1861, pamphlet, Huntington Library Collections.



their seditious papers and proclamations, by traitors to us among our people. Be not deceived by these pretensions.<sup>62</sup>

So frequent were the rumors of an advancing Texan army that the people north of the Jornada, a desert in central New Mexico, would not have been greatly surprised at any military operations. An increase in the enlistments was evident, however, during the winter of 1861-1862.<sup>63</sup> In an effort to strengthen further the federal defense, Colonel Canby appealed to Governor William Gilpin of Colorado Territory for aid. The governor replied that secession sentiment was so rife in that direction that until conditions improved, it would not be expedient to despatch troops beyond the limits of that territory.<sup>64</sup> Actually, however, Governor Connelly and Colonel Canby had performed what at first had appeared to be an impossible task. Between five and six thousand volunteers had signed up, arms had been issued them, and some measure of fighting spirit aroused.<sup>65</sup>

Canby could anticipate no support to the Union south of the Jornada. Acting in close conjunction with the secession conventions of southern states, the inhabitants of southern New Mexico had been functioning under a Confederate government since the summer of 1861, and had renounced all allegiance to the Union even earlier than that time.

(to be concluded)

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62. Henry Connelly, *Address to the Legislative Assembly of New Mexico*, January 29, 1862, N. A., State Department Records, Territorial Papers, New Mexico, II.

63. John T. Russell, comp., *Official register N. M. volunteers called into service of the United States under the President's Proclamation of May 3, 1861* (Santa Fé, 1862).

64. William Gilpin to E.R.S. Canby, Denver, October 26, 1861, N. A., War Department Records, Ninth Military Department, Document Files.

65. Twitchell, *Leading Facts of New Mexican History*, II, 374.