

AYER Y HOY en TAOS

Yesterday and Today in Taos County and
Northern New Mexico

WINTER 2001 Issue 32

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The graduating class of Taos High School in the 1930's offers a tribute to past and current students.

Student Issue:

The Sentencing of José María Martínez, March 1861

Ranchos in the Early Days

Dawson Coal Mine

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Yesterday and Today in Taos County
and Northern New Mexico
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The Taos County Historical Society's publication, *AYER Y HOY en Taos County and Northern New Mexico*, is published semi-annually by the Historical Society.

We invite articles of a scholarly nature, as well as book reviews of recent publications pertinent to the Taos and northern New Mexico area. We are open to publishing occasional reminiscences, folklore, oral history and poetry that are of lasting historical interest.

The Taos County Historical Society endeavors to maintain high standards of quality in *AYER Y HOY*, and we seek to make improvements as we go along. Readers' comments and suggestions are welcome.

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AYER Y HOY is mailed to all members of the Taos County Historical Society as a benefit of membership. Memberships are \$15 for individuals, \$20 for families, and \$30 for sustaining Memberships.

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The Taos County Historical Society is a New Mexico nonprofit organization dedicated to the study and preservation of the historical resources of Taos County and northern New Mexico. Membership is open to any interested person, regardless of residence.

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From the Editor

It's certainly a wonderful experience to return to the pages of *Ayer Y Hoy* as your editor. When I previously served in this capacity, I sought to use a theme in order to unify the content. If we seek a topic for this issue, I would refer to the winter 2001 publication as the Student Issue.

The authors form a nucleus of students interested in publications and the Communications and Journalism field. Many of them improve their skills as my students, members of the Writing for Publications class (and other courses) at the University of New Mexico in Taos.

Thanks to the Taos County Historical Society president Andy Lindquist, the students used tapes from the organization's collection. The volume of tapes includes recordings of past meetings. It is fitting that our readership, all history buffs, share the wealth of knowledge available through this preserved work. Many of the persons presenting historical topics have passed away, but the Taos County Historical Society has seen fit to preserve their information in this manner.

Also, thanks to president Lindquist for his contribution to the Time Capsule. We always benefit from the past and its contribution to the present and the future. We applaud his work. Additional thanks go to Father Tim Martínez for his graphic work on the publication. Without this, we truly could not complete *Ayer Y Hoy*. You will also note photo credits. Nita Murphy and Joan

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The Sentencing of José María Martínez *March 1861*

By Lyn Bleiler

The following account was transcribed from a cassette tape containing material belonging to the Taos County Historical Society. This cassette tape was transferred from a 1,200 foot reel of mylar tape recorded on 24 March 1961 at a meeting of the Taos County Historical Society in the Harwood Foundation Community Room. The transcriber has made every effort to accurately record the contents of the tape. However, not all portions of the tape are clearly audible.

Helen Blumenschein, President, introduced Mr. Esquipula Martínez who talked on the court proceedings in Taos. [Following are from the minutes of the meeting.]

Mr. Martínez stated that to his knowledge only two men have been executed in Taos for crimes committed during the past 100 years. These were José María Martínez and John Connolly. José María Martínez was tried and convicted in the court held by Judge Kirby Benedict who composed the now famous classic quote, "The sentencing of José María Martínez." Mr. Martínez read this to the persons present.

Many historians say that José María escaped from jail and was never hanged, but Mr. Martínez' father, Francisco Martínez, and other old timers, tell of the hanging of José.

The second hanging was that of John Connolly who had been convicted of murdering his two companions near the (then) present fish hatchery on the Red River. Mr. Martínez, though only ten years old at the time, witnessed the hanging, which took place in the placita to the rear of the courthouse. This happened in 1905.

The hanging of José María Martínez occurred on 22 March 1861, some 100 years ago. Mr. Martínez' interesting tape was recorded for the archives of the Taos County Historical Society.

I believe you have heard of this famous sentencing. It's gone all over the country because, in fact, historians seem to think it is one of the most famous sentences that was ever given by a Court of Justice. The Judge got into it when he

pronounced the death sentence.

Ladies and Gentlemen, I have to describe the events briefly. I have a heading here that says, "JUDGE KIRBY BENEDICT FAMOUS SENTENCE OF DEATH SENTENCING JOSE MARIA MARTINEZ FOR MURDER IN TAOS, NEW MEXICO ON THE 22ND DAY OF MARCH, 1861."

Well, before I go on with the story, I want to explain a little history. The history of the State of New Mexico [was recorded by some] pretty bright men who had everything in order, but in some cases, some of these writers are misinformed. Of course, they go on gathering all the information they can, and in this case, I remember the story of the sentencing of José María Martínez. [The writer of this article] was convinced that after José María was sentenced to death, he escaped from the Taos County jail and was never captured.

Well, I know otherwise. My father was born in the year of 1851, and this case took place in the year of 1861. My father was just about ten years old when this happened. And I remember I heard him say, and not only he but several other people, old people, that José María Martínez was, in fact, executed in Taos County.

[The writer of the historical account] mentions that the scaffold was built to hang José María Martínez. That was just beyond the place where Mrs. Luhan lives, across that big ditch, you know, that comes from the pueblo. Just beyond that is a tract of land, a very nice tract of land, not farm land, that was unoccupied and is unoccupied today. I remember hearing that they had horse race tracks in that same place, too, so according to information, of course this is not a written record in the courthouse, but people that lived in those days claim that José María Martínez was executed in that place.

So here's the conflict. There is what historians say of the story that was spreading around [that

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The Taos County Courthouse, located on the Taos Plaza. Oftentimes, judgments occurred in this space.

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Martínez escaped], and then there is what the people who lived here then claim. I take the word of the settlers that were actually living here and knew what was taking place.

Another thing is that this man has been written by historians as José María Martín. Martín! That was not the name. Martín in Spanish is a name, but not a surname. It is a name and we call it Martín. See? And understand, and there's no question about it, he was a native and his true name was José María Martínez, and not José María Martín [although he appears in] almost any written history that way. And so there is some difference, of course. Not necessarily bad, but I thought there would be people here

who would have read that story or that sentence and if I don't explain that, and that I would be calling the name in a different way to what they have read before.

So, he had been convicted of murder, and the crime was shown to be a very aggravated nature and without provocation. That is what was reported. It was in this case that a Judge Trevor Benedict delivered the famous sentence of death, which will probably survive all of his more elaborate utterances and writings. It is my instinct, and has repeated by one who was present in the, court at that time, and also according to the records, that the judge evidently concurred in the verdict as fully as if he had

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been a member of the jury.

When the time of sentence arrived, the prisoner was brought before the judge who addressed him as follows, "José María Martínez, stand up! José María Martínez, you have been indicted, tried and convicted by a jury of your countrymen of murder and the court now is about to pass upon you the death sentence of the law. It is a difficult thing, José María Martínez. It is painful duty for the judge of the Court of Justice to pronounce upon a human being the sentence of death. There is something horrible about it, and the mind of the court naturally revolts from the performance of such duty."

"You are an adult man, José María Martínez, of good physical condition and robust health, Ordinarily you might have looked forward to many years of life, and the court has no doubt you have, and have expected to die of old age. But you are about to be caught up in consequence of your own act."

"José María Martínez, it is now springtime. In a little while, the grass will be springing up green in this beautiful valley and on these broad mesas and mountainsides. Flowers will be blooming, birds will be singing their sweet carols and nature will be putting on her most gorgeous and most attractive robes. And life will be pleasant and many will want to stay but none of this for you, José María Martínez. The birds will not carol for you, José María Martínez. when these things come to rattle the senses of man, you will be occupying a space about 6' x 2' beneath the site. And the green grass and beautiful flowers will be growing above your head."

"The sentence of this court is that you be taken from this place to the county jail, and you'll be kept there safely and securely from harm in the custody of the Sheriff until the day appointed for your execution. That you will be so kept, José María Martínez, until Friday, the 22nd day of March, when you will be taken by the Sheriff from your place of confinement to some safe and convenient spot, and that you there will be hanged by the neck until you are dead. José María Martínez, may God have mercy on your soul but the court will not assume responsibility of asking an All-

Wise Providence to do what a jury of your countrymen have refused to do."

Transcriber's Note: Mr. Esquipula Martínez' voice on this tape is filled with character and enthusiasm. A listener senses the urgency on his part to document an accurate account of the above court proceedings and to correct any misconceptions that José María Martínez escaped the gallows.



Time Capsule: Jack Pushes Plunger to Start Bridge Work

Three ex-governors and the chief of the Navajo tribe will be on hand when Gov. Jack Campbell sets off a dynamite charge Friday afternoon signaling the official start of work on the Rio Grande Gorge Bridge.

More than 400 are expected at the bridge dedication scheduled to start at 3:00 p.m. on the Gorge rim where the east end of the bridge will set. Indian dancers from the Taos Pueblo and Navajo tribe at Window Rock will perform with a Santa Fe native as the dedication starts. Ex governors of New Mexico who will be here include John Miles, John Burroughs, and John Sims. A last minute addition to the speaker list is Raymond Nakai, chief of the Navajo tribe. Highway 64, when completed, is expected to open up much of the Navajo country and be of considerable benefit to the tribe.....

The Taos News, July 4th, 1963

Suburban Living

At last-- There's a home being built on one of the developments in Taos County. An A-frame cabin is under construction on Tres Piedras Estates about 8 miles east of TP. As far as it's known that's the first home to be started on the estimated 35,000 quarter-acre lots that have been sold here.

Ira Humphrey of Arizona is the owner. His land is without sewer, water or power at this time.

The Taos News, August 29, 1963

Memories Which Create History: Ranchos in the Early Days

By Marti J. Segura

Upon hearing the accounts narrated by Mr. Meliton Struck, Sr., from a recording in 1962, the history of Ranchos de Taos unfolded before me.

The earliest days of Spanish Colonization in this part of the country are known firsthand to the very few whose memories deserve to be forever preserved. Through this, I realized the importance of documenting the accounts of everyday life, because every moment becomes a part of history.

Many stories will remain untold, and I have found it both a privilege and responsibility to record those moments in time that may never otherwise be remembered. I learned about the early days of Ranchos de Taos from just one firsthand account. If these stories are never recorded, a piece of history might forever be lost.

The San Francisco de Asis Church, which once stood as the center of an entire community, is today an historical icon. One of the oldest churches in the area, the adobe structure is also one of the most photographed.

Restaurants, galleries and shops surround the church today, and were once the home of Ranchos' very first settlers. The structure which some may call unique, was but the most practical and necessary for the time.

At a meeting held on February 23, 1962 of the Taos Country Historical Society in the Community Room of the Harwood Foundation, Mr. Meliton Struck, Sr. of Ranchos de Taos was introduced to the crowd by Guadalupe Vaughn. Mr. Struck talked about the early settlement of Ranchos de Taos. He talked about religion, art, agriculture, animals, hunting, and fur trading and gave detailed descriptions of the pueblo style two-story architecture of the early Ranchos area. He talked about the settlers from the East; and mentioned the names Webster, Hart, Graham, Welch, and Gusdorf.

He talked in detail about Gusdorf and the establishment of his business and his flour mill that burned in 1896.

"Mr. Gusdorf's first business was a general merchandise store and then he opened the mill. The mill was located on the East side of the church and was powered by steam. Steam produced by burning wood," he described.

The mill was important at this time because Mr. Gusdorf hired a lot of help to run the mill," he continued.

"He would have helpers bring wood in exchange for food from his store. A lot of people worked for Mr. Gusdorf back then, which was very important because it meant that more people could have bread and butter on their table."

He told the story of his own grandfather Meliton Struck and his trip West. He mentioned a Presbyterian school that was established sometime between 1870-1880, although he gave little detail about the school or its whereabouts. His grandfather, Meliton Struck, was born in New York and came to the Ranchos area in the 1860's.

According to Mr. Struck, Ranchos de Taos is an old Spanish settlement colonized in the early 1750's. "When the pioneers began to colonize, the fathers, or padres, of the Catholic faith first founded a church."

Religion played such a significant role in early Spanish colonization, that they built their homes around what we still know today as the San Francisco de Asis Church in the Ranchos Plaza. Mr. Struck estimated that at least 75% of the population was Catholic (in 1962) and "pretty much all of the early settlers in the Ranchos area were Catholic," he recalled.

The saint, or santo, is a cornerstone of Catholic faith, and was thus ingrained into the early art of the area.

"A santero would carve Catholic santos out of wood," he described, and the art itself has since held its place in the history of Northern New Mexico's earliest settlements.

"They grew their own crops, and the staples were wheat, corn, peas, lentils, and beans."

Mr. Struck could also recall, "when they would use wood plows to till the fields. People

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had their own grinding mills in which they would grind wheat and corn."

Hunting was for sport, but also for food. A successful hunt would supply meat for the winter.

"Men would trade furs in the East for food and other goods. They would drive oxen to places like Kansas City and Dodge City, which would take them three months to go and come back."

"People did a lot of fishing, which was done for sport, but also for food. All of the early pioneers were primarily farmers."

"They had quite a bit of trouble with the Apaches and Navajos, which is why their housing was built like a fort for protection," explained Mr. Struck.

"Built like a stockade with only two entrances, one was southeast of the Plaza, and the other was northwest. All of the houses faced the Plaza and had no windows in the back."

He described how they lived in two story adobe structures which allowed them to designate a lookout who would stand on the rooftop to warn others if an enemy was approaching.

"Because there were no windows in the back of the houses, people would make small peep holes so that they could see when the enemy was coming."

He recalled the only two houses that remained (as of 1962) were the house of the Aragons and the

house of his mother and father Mr. and Mrs. Struck.

Mr. Struck shared a memory of life which is but one small portion of time. Of all the stories untold, this will now forever be documented. His story has now become history.



Time Capsule: No Boxes

Mrs. Agnes Avila, Postmistress, reports that the congestions at the Taos Post Office is increasing.

"We have, at present, 1085 boxes and all are rented. The waiting list runs about 20 or 25. Our General delivery load doubles in the summer due to the tourist trade. No relief is in sight as all available space is being utilized... at one time there was a great deal of enthusiasm for city delivery which was being spear-headed by local civic groups, but interest waned and the whole matter seems to have been dropped."

—*The Taos News, July 4th, 1963*



The Ranchos de Taos Plaza of the past.

Dawson Coal Mine

By Patrick Tafoya

It began in the mid 19th century near the Sangre de Cristo Mountains by an adventurous pioneer by the name of John Barkley Dawson. This is where J.B. Dawson fell in love with a small piece of track, he eventually bought from L. B. Maxwell.² Locals know it as the Maxwell land grant.

Shortly after the deal with Maxwell, the land grant people accused Dawson of not legally purchasing the land properly. The battle in court was short lived. Dawson was able to prove that in fact, the deal was binding for ownership. Upon signing, Dawson would pay Maxwell \$3,700 for what Dawson thought to be a 1000 acres.⁴

After the feud with the land grant people, Dawson came to realize that the land was surprisingly 20,000 acres.⁴ Without any argument, Dawson would almost immediately move his cattle onto his land.

Throughout the beginning stretch of Dawson's years on his land, he noticed that the land was peppered with coal.³ He would, for a short period, pay no attention to the coal and continued on with caring for his ranch.

One day, while chopping wood, he grew tired of the work and decided to burn some of the coal scattered around his land. Over a period of time, he noticed how well this substance was for fueling heat. Dawson then decided to sell it to neighboring people.

The amount of coal he gathered up over time revealed that there was enough to fuel engines for up to a hundred years. At the same time, the abundance of coal surrounding the Dawson town helped the growth of the railroads throughout New Mexico. Dawson opened mine number one in 1899 and started selling his treasured substance to the railroads.³

It was only a couple of years later that a gentlemen by the name of Charles Eddy, a wealthy railroader, bought Dawson's mine for a large amount of \$400,000. Eddy also gave \$5,000 more for the town. Eddy took over the town with the

promise from Dawson's wife to keep the name Dawson.¹

Four years after the purchase, Eddy opened up mine number two. September 14, 1903 began a series of problems within the mines.⁴ The first accident was in mine number one. A fire killed three men and burned many others severely. From that point on, accidents occurred frequently with many deaths to come.

That same year, Eddy sold the mines and town to Phelps Dodge Corporation for an amazing \$16 million.

Around the early 1920's, at its full height, the Phelps Dodge Corporation was easily producing a million tons of coal a year.

It was said by many people throughout the United States that the New Mexico coal was more lucrative than any gold strike within the State of California.

Unfortunately, about a week after the inspection, mine number 2 blew up. Rumor says that one of the miners lit a stick of dynamite to loosen up a vein of coal; that when the mine went. It created such a devastating blast. The residents of Dawson said they saw the flames reaching out from the mine at least 100 feet in the air. They say the explosion was probably due to several days of methane build up in the tunnels, plus poor ventilation. The impact resulted in the deaths of 285 men and received space on the front page of the New York Times. The newspaper called it, "the worst mining accident in American History."

The Bureau of Mines sent rescue teams from Kansas and Wyoming to help with the Dawson disaster. A team of surgeons was sent in from Colorado to assist the injured. Nurses also arrived from El Paso, Texas for the rescue efforts of Dawson's coal miners.

Ten years later, mine number two exploded, once again within the week of the inspector's visit. As a result, 122 men died from the underground explosion. Mine number two was then closed forever more.

In May of 1950, Phelps Dodge Corporation

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The town of Dawson during its "heyday."

shut down the town of Dawson, padlocking and razing all the houses and buildings.² The residents of Dawson moved away from a life some would never see again. Memories the people of Dawson shared are now scraped away forever more. The only reminders are broken pieces of machinery and a blanket of coal dust that stretches out where the town used to exist.

2. *New Mexico Magazine*, January 1964, pg. 35. Author: Betty Woods.
3. *New Mexico Magazine*, September 2001 pgs. 60-61. Author: Catherine Coogan.
4. "The Dawson Story" (New Mexico Archives) September 1961. Author: F. Stanley. Article: 61.20.1 EA/45

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Time Capsule:

Parishioners Plan Effort To Build New Church; Old One Destroyed In Flames

PENASCO - The Feast of St. Lawrence marks the start of an all-out effort among the parishioners of St. Anthony's Church to raise enough money to build themselves a new church.

St. Anthony's was completely destroyed in a roaring fire June 13, strangely enough, on the Feast of St. Anthony. The Rev. Father Robert Garcia, pastor, was grieved at the loss of his church, which had served 600 families for 50 years or more... Even before the fire, Father Garcia and the parishioners realized that someday Peñasco would need a new, larger church. St. Anthony's just wasn't large enough. It could only accommodate 200 parishioners- not enough for a growing parish. The feast of St. Anthony came to Peñasco leaving little to decide in the way of what was to be done. There was no longer any question that there would be a new church...

Dances and sales and other parish events have raised only a tiny fraction of the total needed. Father Garcia said most of the contributions so far received have come from former Peñasco residents...

The Feast of St. Lawrence Aug. 10 will be a big day in Peñasco. People from surrounding communities are being invited to attend the Fiesta. Large crowds are expected. St. Anthony's is asking that items be donated to help the parish. Items will be sold at the Fiesta... St. Anthony's needs help.

—*The Taos News, July 25, 1963*

Sold Out

Neither a cot nor a quilt could be found to bed down a late arriving and road weary tourist in Taos Tuesday night.

In a midnight check of all motels and several private homes, Harold Street at Taos Inn was joined by the Chamber of Commerce manager in an effort to locate a vacancy for the traveler. Calls were also made to small motels in nearby communities. The traveler travelled on.

—*The Taos News, August 9th, 1963*

(Continued from page 2)

Phillips of the Taos Museum Association offer their contribution to this endeavor and literally "go out of their way" to insure that the publication looks attractive and informative.

The writers' brief biographies, listed alphabetically, offer the opportunity for a glimpse of those who worked so diligently to complete this issue.

Linda Bleiler owns Studio B. She serves as a freelance technical writer, working with architects. She also assists with the newsletter Harwood Alliance. She wrote a transcription of "The Last Execution in Taos."

David Lewis studied religion for 20 years, working with Tibetan lamas. Currently, he busies himself "catching up on his college education" as a Communications and Journalism major. Read David's review about the history of the Jicarilla Apache tribe.

Marti Segura serves as a media correspondent for DMC Broadcasting, Radio KXMT and KKIT. She also enjoys part-time work as a freelance writer. Marti worked on a summary of a taped history of the Ranchos de Taos community.

Patrick Tafoya grew up hearing about the long-gone community of Dawson. He channeled his curiosity into a well-researched story. Tafoya studies in the areas of his interest, communications, writing and graphic design.

Carol Zipp, a freelance commercial artist, enjoys historical re-enactments in her spare time. She considers pursuing a Communications and Journalism Associate of Arts degree, enjoying writing for course work and in her spare time. For this issue, she reviewed a book about the wagons of the Santa Fe Trail, a perfect topic for a person involved in reliving the past.

Besides sharing information on the Student Issue, Taos County Historical Society members and affiliates anticipate a special visit from New Mexico State Historian Estevan Galvez. He plans to present his historical perspective to the audience at a luncheon at the Ranchos Plaza Grill on Saturday December 1, 2001 at 12:30. Welcome, Señor Galvez, and thank you for the kind attention.

As you plan the holiday season, consider sharing a gift of history and culture. A book, a recording, attendance at a special event, anything that includes a historical topic helps preserve the past, present and future.

—Kathy Córdova



Book Review:

Wagons for the Santa Fe Trade, Wheeled Vehicles and Their Makers 1822-1880
By Mark L. Gardener

Publication date:

Price: \$19.95

Binding: Paper

University of New Mexico Press

Wagons for the Santa Fe Trade vividly presents the scenes and histories of the wagons that traveled from Missouri to Northern New Mexico along the Santa Fe Trail in the middle 1800s.

Mark Gardner's research has obviously been extensive and his detail is generous.

You can get a feel for the time period by reading the descriptions of caravans of wagons loaded with freight for trade, the ambitious traders were eager for the goods and silver of their New Mexican customers.

The book includes descriptions and details of how the old wagons were constructed. And it also offers museum photographs of equipment used to make them. Made mostly by hand, these freight wagons, carriages, carts and coaches were responsible for vastly increasing trade with Northern New Mexico and expanding the wagon industry in the East.

Gardner's knowledgeable use of historical references, old engravings, drawings and photographs make this book on early wagons one that you will find interesting. History buffs will like the easy references and the three appendices that include actual articles reprinted from the 1800s.

Wagons from as far away as Missouri and Pennsylvania were pulled by horses, mules and oxen across the prairies and mountains along the Santa Fe Trail, bringing supplies and farm utensils to this area to be exchanged for hides, wools, and pelts, as well as silver.

I think that this book would make a wonderful Christmas present for anyone who is interested in early transportation or this particular time period.

—Carol Zipp

Book Review:

The Jicarilla Apache Tribe: A History
By Veronica E Velarde Tiller
Republished: 2000
Binding: Paper
Bow Arrow Publishing Company

This book is a comprehensive description of the trials and accomplishments of the Jicarilla Apache tribe during the last two centuries. The author charts the tribe's passage from pre-colonial conditions to a sovereign tribe navigating the federal bureaucracy of the United States. With exacting detail, Ms Tiller presents the reader a heart-rending depiction of the trials and tribulations of the tribe's treatment by the ever shifting policies of the Federal Indian Office and how they finally established their right to any land at all. The history can be useful in completing one's sense of the mosaic of the tribes of the Southwest, how they were able to resist the overwhelming momentum of the pioneer migrations and retain possession of their historical land base.

The writer introduces the reader to a brief description of the Jicarilla Apache tradition and religious observances as passed down from their ancestors, their relationships with neighboring tribes and scattered first contacts with the white man. The real drama of self-preservation kicks in when General Stephen Watts Kearny occupies New Mexico in 1846 and the American government discovers the existence of the Jicarilla tribe in the uncharted mountains of eastern New Mexico. From this point on, the tribe is catapulted into an endless series of dependent arrangements with the Indian Bureau that whittle away their happiness and health, until very near the brink of their extinction. Through their own self-determination and positive changes within Congress, the Jicarilla Apache tribe emerges as a prosperous and alert community somewhat comfortably positioned to take on the twenty first century.

The book is well illustrated with original photography and contains a necessary and enlightening afterword to the previous edition. The notes and bibliography are extensive. This book makes a welcome addition to any Southwesterner's library.

—David Lewis

Lack Of Water Drives Snakes, Bears, Skunks, Into Town

The drought that has made a tinderbox of forests here is having some unpleasant side effects in Taos. Increasing numbers of rattlesnakes Within the city limits are being reported. State Game and Fish Dept. officer Carl Berghofer said Friday this was "normal for a hot, dry year Berghofer also said bears, skunks and raccoons also are making forage into populated areas now because of the drought. "The bears are hunting for their mushrooms, berries and roots, and are having a go at the garbage" he said.

The Taos News, August 8, 1963



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