
Spanish Colonial Mining in Southern New Mexico:
A Spanish to English Translation of Documents
Relating to El Paso, the Organ Mountains and Santa Rita del Cobre

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Beginning in the late nineteenth century, reports of Spanish mining in the El Paso area and the discovery in the nearby mountains of a rich silver lode long since lost began to appear in published sources. A survey of the Organ Mountain mining district in the 1880s cited five silver mines that showed evidence of having been worked in the Spanish or Mexican periods: Hawkeye, Memphis, Stephenson, Modoc, and Dos Arroyos. Yet, the earliest recorded mining activity related to Juan Antonio García de Noriega's request is for a land grant in 1805 that would have permitted him to develop mines in the Organ Mountains.¹

The publication of the documents included here makes it possible to push back the date of organized mining activity in the El Paso area and in the Organ Mountains to the middle of the eighteenth century. The first three documents date from the 1750s and clearly establish that mining activity was under way by that time. The first is the earliest surviving claim to a mine that was actually worked in the El Paso area. The earliest known claim for a mine in the Organ Mountains and a related document, regarding rights of the discoverer of a mine, follow.

José Lorenzo de Ribera, Registro de mina, El Paso, [29 de enero de 1756].²

Señor Teniente de lo Político y Militar,

El Bachiller don José Lorenzo de Ribera cura interino del pueblo de Santa María de las Caldas vicario juez eclesiástico en esta jurisdicción del Paso según derecho y como mejor en el proceda parezco ante vuestra merced y digo que según reales ordenanzas de minas registro (y llamo a medias a José García Carabajal, hijo de Miguel García Carabajal) una que está a la falda de la sierra en la otra banda del Río del Norte entre dos mogotes un arroyuelo pequeño que baja de dicha sierra. Corren las vetas a los cuatro vientos y la boca a el poniente. A la cual mina pongo por Nombre Nuestra Señora de Guadalupe. Y está en tierra virgen. Y me obligo a ponerla en labor y beneficio cumpliendo con el tenor de reales ordenanzas dándole el ahonde de los tres estados para que así verificado se me de la posesión en el término dispuesto en que ocurriere a pedirla.

Por todo lo cual a vuestra merced pido y suplico haya por presentado este escrito y admitido este reg-

José Lorenzo de Ribera, Mining claim, El Paso, [29 January 1756].

Lord lieutenant for political and military matters:

I, Bachiller don José Lorenzo de Ribera, interim parish priest of the pueblo of Santa María de las Caldas, vicar and ecclesiastical judge in this jurisdiction of El Paso, appear before you according to the law and in the way I should proceed under it. I state that in accordance with the royal mining ordinances, I am registering and naming as full partner José García Carabajal, the son of Miguel García Carabajal, a mine that is located in the foothills of the mountain range on the other side of the Río Grande between two knolls in a small arroyo that descends from that range. The veins run in all four directions and the entrance is to the west. This mine, which I am calling Our Lady of Guadalupe, is in undisturbed soil. I obligate myself to put it into operation and work it in fulfillment of the royal ordinances, giving it a depth of three *estados*³ so that once this is verified, I may be given possession of the mine when I request it, within the allotted time.

istro que en beneficio del real haber y público. Juro en debida forma no ser de malicia y en lo necesario etcetera.

José Lorenzo de Ribera

Francisco García Carabajal, Registro de mina, El Paso, 18 de enero de 1759.⁴

Señor teniente de capitán y alcalde mayor:

Francisco García Carabajal sargento reformado y vecino de este pueblo de Nuestra Señora de Guadalupe del Paso del Río del Norte en la mejor forma que haya lugar en derecho y al mío convenga ante vuestra merced parezco y digo que presenté a vuestra merced con la debida solemnidad la lista adjunta para según consta de ella registro según reales ordenanzas de su majestad en su nuevo cuaderno⁵ que habla de minería registro una mina sita cerca del Puerto de los Organos de la otra banda del río en una cañada. Su beta corre entre sur y norte. Y dicha mina lleva los metales de que ante vuestra merced hago demostración bajo de la debida venia mina, por de oro plata plomo cobre o lo que Dios fuere servido darme en ella. Y les confiero a mis compañeros en dicha mina como consta de la denuncia y [lista que] presento parte en ella. Como yo mismo y que [por] iguales partes tengamos parte en dicha mina pa[ra que] los [mineros ser]les como hermanos tantos unos como otros en [el] [distin]ción ninguna sin que yo sea mejor [mi derecho al] metal por haber ido los dichos conmigo [?]tud que seamos parcioneros. Y le pondremos por nombre Nuestra Señora de Guadalupe. Asimismo [?]catas cabilla escarbaderos y minas [?]sia puedan hallarse y me obligo se par[?] posesión en el término que manda la ordenanza trabajarla y su laborío a usanza de minería.

Por todo lo [cual a] vuestra merced pido y suplico me admita este registro y declararme por descubridor por cuanto en la veta y sitio no hay otra mina alguna sino es la que registro. En que lo hice recibiré merced en justicia y de admitirme este escrito en este papel común por defecto del que se corresponde. Juro en debida forma no ser de malicia este escrito y en lo necesario, etcetera.

Francisco García Carabajal [rúbrica]

18 de enero de 1759

For all this, I ask and beseech you to consider this document presented and this registration accepted as being advantageous to the royal and public wealth. I swear in the required way that this is not malicious, to whatever else is needed, and so forth.

José Lorenzo de Ribera

Francisco García Carabajal, Mining claim, El Paso, 18 January 1759.

Lord lieutenant and alcalde mayor:

I, Francisco García Carabajal, rather sergeant and citizen of this pueblo of Our Lady of Guadalupe of El Paso, appear before you in the best form the law provides and as is my right. I state that I present the enclosed list with everything necessary that is legally required so that by means of the claim that is of record therein, according to his majesty's royal ordinances in the new book that refers to mining, I am registering a mine located near the Puerto de los Organos on the other side of the river in a cañada. Its vein runs south to north. This mine contains the ores I show you, making a demonstration, according to the permission granted to miners, of silver, lead, copper, or whatever God sees fit to grant me in this mine. I am giving shares to myself and to my associates in this mine, as is of record from the claim and list I present. The shares we are to have in the mine are equal so that the miners will be as brothers, one like another without any difference and without my right to the ore being greater, because they accompanied me so that we could be partners. We named the mine Our Lady of Guadalupe. Likewise, I obligate myself to name any trial pits, diggings, deep mines, and [illegible] that may be found. I also obligate myself to put [it into operation in order to be given] possession within the time allotted by the ordinances to exploit and work it as a mine.

For all this, I ask and beseech you to accept this registration and declare me to be the discoverer, given that there is no other mine whatsoever on the vein and site other than the one I am registering. Thus, it is justice that I shall receive a grant for what I have done, and for this document to be accepted on common paper in the absence of the kind that is required. I swear in the necessary way that this document is not malicious, to whatever else is needed, and so forth.

Lista general de las personas que fueron en mi compañía a la otra banda a el fin de ir a buscar dicha mina y son a saber las siguientes

Primeramente Francisco García Carabajal
 Item Juan Pedro Carabajal
 Item Francisco Varela
 Item Diego Antonio Maese
 Item Manuel Granillo
 Item Mateo Lucas Maese
 Item Antonio Maese
 Item José Apodaca
 Item Andrés Montaña
 Item Miguel de Medina
 Item Nicolás de Herrera
 Item Ignacio Herrera
 Item Joaquín López
 Item Domingo Apodaca
 Item Juan Brusuelas
 Item Ignacio Téllez
 Item Javier Márquez
 Item José Telles
 Item Domingo Sánchez
 Item Antonio Rodríguez
 Item Manuel Griego
 Francisco García Carabajal [rúbrica]

José de la Sierra, Auto, El Paso, 18 de enero de 1759.

En este pueblo de Nuestra Señora de Guadalupe y real Presidio de Nuestra Señora del Pilar y Señor San José del Paso del Río del Norte ante mi don José de la Sierra teniente de lo militar y político de dicho real y presidio y su jurisdicción por su majestad (que Dios guarde) como a las cuatro de la tarde del día dieciocho de enero de mil setecientos cincuenta y nueve años se presentó esta petición y lista por el contenido en ella. La que por mi vista dije la había por presentada y por denunciada sin perjuicio de tercero m[ejor de]recho tenga la mina que se refiere. Y en su comp[añía] pasé a señalar el pozo de ahonde como lo [está] dispuesto en las reales ordenanzas de mine[ría]. Dentro del término dispuesto en ellas y con él se la pase a dar la posesión de la mina que denuncia. Y no habiendo en la situación y cerro que la

Francisco García Carabajal [rubric]

18 January 1759

General list of the people who went with me to the other side of the river to search for the mine.

They are the following:

First, Francisco García Carabajal
 Juan Pedro Carabajal
 Francisco Varela
 Diego Antonio Maese
 Manuel Granillo
 Mateo Lucas Maese
 Antonio Maese
 José Apodaca
 Andrés Montaña
 Miguel de Medina
 Nicolás de Herrera
 Ignacio Herrera
 Joaquín López
 Domingo Apodaca
 Juan Brusuelas
 Ignacio Téllez
 Javier Márquez
 José Téllez
 Domingo Sánchez
 Antonio Rodríguez
 Manuel Griego
 Francisco García Carabajal [rubric]

José de la Sierra, Proceeding, El Paso, 18 January 1759.

In this pueblo of Our Lady of Guadalupe and the royal Presidio of Our Lady of Pilar and Our Lord St. Joseph of El Paso, before me, don José de la Sierra, lieutenant for military and political matters of this *real*⁶ and presidio and its jurisdiction for his majesty (may God keep him), at around four in the afternoon of 18 January 1759, this petition and list were presented by the person named therein. Having examined them, I stated that I considered it presented and that the claim made to the mine referred to was without prejudice to a third party. I am going with him to take note of the depth of the shaft as is required and provided for in the royal mining ordinances. This is so that within the time allotted in the ordinances, given the proper depth of the shaft, I can give him possession of the mine he claims. If there is

señala otro tercero que gocen más anti[güedad] se le declara por descubridora dicha mina y se re[conoce].

Que como a tal descubridora de plata se le den sus medidas las ciento y ochenta varas y lo de veta y ochenta de cuadro se debe gozar según privilegio de las más descubridoras. Como asimismo se le guarden a la expresada los demás que debe gozar por dicha razón arreglado a dichas ordenanzas y nombrando los veedores que juramentados lo hayan de ejecutar.

Así lo proveí mandé y firmé yo dicho teniente por ausencia del señor don Manuel Antonio San Juan sargento mayor capitán y alcalde mayor de dicho real presidio y su jurisdicción, actuando por receptoría a falta de escribano público ni real que no lo hay en este puesto. Y en este papel común por que el sellado no corre en ella de que doy fe.

José de la Sierra [rúbrica]

no third party at the site and hill with an older right, this mine is declared the first discovered and so recognized.

As the first mine discovered, it should measure one hundred and eighty varas (which is the vein) by eighty varas to complete the rectangle, which it should enjoy according to the privilege given to other first discovered mines. Likewise, it should receive everything else it should enjoy for that reason, in accord with those ordinances, naming the inspectors who, once sworn in, must carry this out.

Thus I, the lieutenant, decided, ordered, and signed in the absence of the lord don Manuel Antonio San Juan, *sargento mayor* of this jurisdiction and alcalde mayor of this real and presidio and its jurisdiction. I am acting as receiving judge, given the lack of a public or royal scribe, since there is none in this area. This is on common paper because the stamped kind is unavailable. I so swear.

José de la Sierra [rubric]

The most informative documents regarding silver mining in this region concern a mine called Nuestra Señora Santa Ana, which was the subject of a protracted lawsuit in the 1780s. In addition to details about mine labor and techniques, the two documents explain how ore was delivered to Chihuahua for assaying and provide the results of one such test. If the assay was accurate, the two protagonists had stumbled on a rich deposit indeed, although presumably of meager size, since it produced no bonanza.

Gaspar Samperio de la Mora, Petición, El Paso, [6 de marzo de 1787].⁷

Don Gaspar Samperio de la Mora residente en este pueblo del Paso y de su comercio en la mejor forma que haya lugar en derecho y al mío convenga ante vuestra merced parezco diciendo que habiendo visto el escrito presentado por don Francisco Moradillos el día diez de junio pasado del que me corrió traslado con los demás autos los que en la misma conformidad devuelvo. Y en el que viene diciendo y falsificando mis antecedentes escritos en que por su ausencia como parcionero pasé hacer el denuncia para trasladar la mina de que se trata. Y es la misma que el citado don Lorenzo Cuarón me hizo presente haber trabajado don Francisco Moradillos en compañía de Domingo Rojas y Salvador de Herrera, quienes parcialesaron a dicho Moradillos por ser unos pobres y no tener las facultades necesarias para su laboreo como constará del instrumento que el citado don Francisco Moradillos otorgó a favor de

Gaspar Samperio de la Mora, Petition, El Paso, [6 March 1787].

I, don Gaspar Samperio de la Mora, resident and in business in this pueblo of El Paso, appear before you in the best form the law provides and as is my right. I say that I have examined the document don Francisco Moradillos presented on 10 June past, of which you gave me a copy with the other proceedings, which I am returning as agreed. What he is saying in the document falsifies my earlier documents in which, because of his absence, I proceeded to file a claim to transfer the mine in question. It is the same mine don Lorenzo Cuarón informed me that don Francisco Moradillos had worked with Domingo Rojas and Salvador de Herrera. They made Moradillos a partner because they were poor and lacked the necessary means to exploit the mine, as will be of record from the instrument don Francisco Moradillos executed in Herrera's favor and from the registration the latter made of the mine. From those

Herrera y de el registro que este hizo de dicha mina. Por cuyos documentos se viene en pleno y claro conocimiento no ser dicho Moradillos solo el dueño como dice y asienta ser quitándole igualmente el derecho de la parcialidad a los citados Rojas y Herrera.

En cuya atención suplico a vuestra merced justicia mediante mande a dicho don Francisco exhibir dichos documentos y acumular a los autos, para que en ellos conste como también la esquila que le escribí diciéndole formalizase la cuenta de los gastos que iba haciendo para nuestro gobierno causados y que se causaren. Pues sin estos documentos no podrá enteramente el señor asesor diputados de la minería o el sujeto a quien pertenezca su determinación hacerse cargo de la justicia de cada uno para sentenciar y determinar estos autos con la debida inteligencia que se necesita y quedar mi juicio ilusorio. Pues con ellos vendrán en pleno conocimiento que hasta lo comprometado quiere ocultar como consta en la séptima cláusula de su citado escrito.

Que mucho que a mi quiera destituirme de la parcialidad de dicha mina compactada cuando lo pretende hacer con Herrera. Pues si no hubiera habido la parcialidad ni precedido el que dicho Cuarón nos uniese a ello como fuimos a poblar todos de mancomún dicha mina y a arrancar metales a mi costa y con la misma conducirlos a Chihuahua para beneficiarse hasta verificar si tenía plata o no llevando dos cargas de metal a dicha villa y gastar de mi bolsillo nueve pesos que entré a don Ignacio González deducida la plata que rindió dicho metal como si no me admitió por parcionero puso en manos de dicho Cuarón para ensanchar mi ánimo una carta escrita en el Real de Santa Eulalia por don Fulano Leorín a don Antonio Trespalacios y por este remitida a don Francisco Moradillos en que hace constar la ley que tenía el metal.

Con la que dicho Cuarón me satisfizo y animó para la unión que pretendía hiciésemos dicho don Francisco Moradillos y yo en trabajar la mina como de facto lo consiguió. Solo con la mira de que por estas diligencias que había hecho se le diese un algo en caso de que la mina lo diese y que como otro había de ser el administrador fuese preferido. Que no pretendía parcialidad alguna respecto a no tener facultades con que ayudar a trabajar dicha mina. Cuya carta igualmente suplico haga exhibir a dicho Mora-

documents, one gets a full and clear understanding that Moradillos is not the sole owner as he says and affirms, having taken from Rojas and Herrera the right to their partnerships.

For this reason, I beseech you, with the help of justice, to order don Francisco to present these documents and add them to the proceedings. This is so the documents will be of record therein, as well as the note I wrote asking him to formalize the accounting of what he was spending for our administration, both what has been incurred and what may be incurred. Without these documents, the lord legal advisor, member of the mining delegation, or person to whom the decision falls will be unable to decide fully on the justice of each document in order to hand down a sentence in these proceedings with the required intelligence, and justice for me will be illusory. With them he would fully understand that Moradillos wanted to hide even what he had agreed upon, as is of record in the seventh clause of his aforesaid document.

He very much wants to strip from me the share in the mine that was agreed upon when he attempted to do this to Herrera. It is as though there were no share, and Cuarón had not gotten us together for this reason, which was that we all went together to establish the mine jointly and extract ores at my expense. Also at my expense, we transported them to Chihuahua to process them to verify whether they contained silver, taking two *cargas*⁸ of ore to that villa. I handed over to don Ignacio González the nine pesos I spent out of my own pocket. Having determined how much silver it yielded, don Francisco Moradillos placed in Cuarón's hands (for him to bolster my spirits, as though I were not a partner) a letter that don What's-his-name Leorín wrote in the Real of Santa Eulalia to don Antonio Trespalacios and that he sent to Moradillos. The amount of metal in the ore is of record in the letter.

Cuarón used this to satisfy and inspire me to participate in the association he wanted don Francisco Moradillos and me to form to work the mine, in which he was successful. His sole aim in these actions was to be given something in the event the mine produced and, because someone else was to be our administrator, to be given preference. He did not seek a partnership because he lacked the means

dillos y acumular a dichos autos. Pues todos estos documentos son a mi favor muy al caso en vista de que dicho Moradillos pretende desistirme y apartarme de la parcialidad de dicha mina. Pues como anula la declaración de Herrera y la de Cuarón.

No refleja que también anula sus propias firmas bajo lo pactado por los instrumentos citados con dicho Herrera por las inconsecuencias que a la vista están y pone en su citado escrito. Pues este con los demás documentos justifican el que dicho Moradillos habla sin la más mínima refleja. Pues si la tuviera no pretendería falsificar lo propio que pacto y trato y consta debajo su firma y puño por lo que está obligado a cumplir a dicho Herrera.

Como si tan celoso se manifiesta para beneficio de este pueblo como para el real haber de su majestad como no siguió trabajando en aquel entonces la citada mina teniendo el desengaño de la ley de los metales según que de dicha carta y del ensaye hecho consta. Pues rendía a tres marcos por revoltura. Y no que lo que fue amontonar metales en su casa sin darles el beneficio correspondiente luego con esto que pretendía dicho Moradillos acaso el beneficio del público? No por cierto el suyo? Parece que sí por que aunque no le han servido estos metales hasta la presente los ha estado reservando quizá con alguna mira que en su interior tenga reservada.

Pues tampoco con esto cumplió con dicho trato pactado con dicho Herrera y Rojas de costearla para con ella pagarse todos sus costos y después seguir la parcialidad con los citados. Luego este hecho da a conocer que el contenido Moradillos ha estado entreteniéndolo el tiempo en perjuicio del real haber y del público para por algún modo apartar a dicho Herrera o esperar que muriese como le sucedió a Rojas para por si solo constituirse único dueño como lo pretende en la estación presente. Por lo que no me admira quiera hacerlo conmigo cuando lo solicita hacer con quienes está pactado bajo su propia firma. Por lo que dichos documentos justifican como dicho es la inconsecuencia que el mismo Moradillos aclara en su escrito y citados papeles. Por lo que omito cansar más en reproducir sobre la parcialidad o propiedad de dicha mina por el desamparo de tantos años que voluntariamente le hizo como justifican los testigos imparciales a mi como son Cuarón y Herrera. Pues estos más bien pudieran haber declarado

to help work the mine. I also ask that Moradillos be made to present this letter and add it to the proceedings. All these documents are in my favor and very much to the point that Moradillos intends to strip and take from me my right to a partnership in the mine.

He does not reflect on the fact that the way in which he annuls Herrera's statement, as well as Cuarón's, also annuls his own signatures on what was agreed upon with Herrera in the aforesaid documents, given the apparent inconsistencies he placed in his document. This and the other documents prove that Moradillos speaks without the slightest reflection. Had he any, he would not seek to falsify what he had negotiated and agreed to (as is of record and signed by his own hand), which he is obligated to carry out with Herrera.

If he is as zealous for the good of this pueblo and for his majesty's royal wealth as he acts, why did he not continue working the mine at that time, knowing the truth about the amount of metal in the ore, based on what is of record in the letter and the assay that was done? It produced three marks when smelted.⁹ By piling up ore at his house without processing it immediately as needed, did Moradillos seek the public good? Was it not his own instead? It seems so, since even though this ore has not been of use to him up to now, he has saved it, perhaps for some reason he keeps to himself.

In doing this he also failed to fulfill what he had agreed to do with Herrera and Rojas: to cover the costs for the mine, pay all their expenses, and continue the partnership with them. As soon as this was done, it came to light that Moradillos has been wasting time, to the detriment of the royal wealth and the public good, in order to remove Herrera by some means or wait until he died, as happened with Rojas, so that he can become the sole owner, which he is now attempting. I am not surprised that he wants to do this to me, given that he is trying to do it to people with whom he has made agreements signed by his own hand. The documents prove, as has been said, the inconsistencies that Moradillos himself clarifies in his document and the aforesaid papers.

For this reason, I shall not tire you further by again going over the matter of the partnership or ownership of the mine because of his voluntary

más bien a su favor que no al mío por los muchos favores que han recibido de dicho Moradillos. Y solo lo han hecho en virtud de la formalidad del Juramento y sin faltar a la verdad.

Con lo que por ahora seso de reproducir y alegar sobre el particular. Los demás asuntos de que me imputa el citado don Francisco Moradillos no vienen al caso por ser muy contrarios a el que se está disputando. Y el que a su tiempo decidiré dando las justificaciones necesarias y que al caso me convengan hacer.

Por tanto a vuestra merced suplico provea y mande hacer como pido que es merced con justicia. Juro no ser de malicia costas protesto y en lo necesario, &c.

Gaspar Samperio de la Mora [rúbrica]

Francisco Díaz Moradillos, Petición, El Paso, [28 de abril de 1787].

Don Francisco Díaz Moradillos Vecino y del comercio de este pueblo de Nuestra Señora de Guadalupe del Paso del Río del Norte como mejor proceda en derecho (salvas e indemnes sus derechos y acciones) ante vuestra merced (y en contestación de un escrito presentado por don Gaspar Samperio de la Mora) parece y dice que ve en el proveído de vuestra merced de 25 del presente mes de abril. Fue don Gaspar Samperio de la Mora en el mes de octubre del año pasado de ochenta y seis a mi nombre y suyo a pedirle permiso para trabajar la mina que en la otra banda del río trabajo yo y poseo como dueño que de ellas soy en virtud de la posesión y demás documentos que en mi poder paran. Pues yo le dije pasase a ver a vuestra merced a nombre de ambos por el bando que está publicado en este lugar para que ninguno salga de el sin licencia del juez.

Y asimismo veo por el citado escrito pretende quitarme el derecho de propiedad que yo solo tengo a ella diciendo que hizo ante vuestra merced *in voce* el denuncia de dicha mina echándome a mí de parte y dejándome sin él como si yo lo tuviese olvidado y abandonado, haciéndose dueño absoluto de ella por la dicha denuncia *in voce* que dice en su escrito tiene

abandonment for so many years. Cuarón and Herrera, witnesses with no bias in my favor, prove this. It would have been likelier for them to have made statements in Moradillos's favor because of all the favors they have received from him. They only did it by virtue of the formality of their oath and to avoid being untruthful.

With this I now cease reproducing and alleging anything more about this subject. The remaining matters in which don Francisco Moradillos accuses me are not pertinent to this case because they are very contrary to what is in dispute. At the appropriate time, I shall reach a decision, providing the proof that is necessary and to my advantage to offer.

I ask and beseech you to decide and order what I request, which is mercy with justice. I swear that this is not malicious, that I seek court costs, to whatever is necessary, and so forth.

Gaspar Samperio de la Mora [rubric]

Francisco Díaz Moradillos, Petition, El Paso, [28 April 1787].

I, Francisco Díaz Moradillos, citizen of and in business in this pueblo of Our Lady of Guadalupe of El Paso, acting in the best way the law allows (reserving in full my rights and recourse to legal action), appear before you. In response to a document don Gaspar Samperio de la Mora presented, I state that I see in it what you decided on the twenty-fifth of the current month of April. In October of last year, 1786, don Gaspar Samperio de la Mora went in my name and in his own to ask you for permission to work the mine I am working on the other side of the river, which I possess as its owner by virtue of the act of possession and other documents I have. I told him to go see you in both our names because of the edict that was published here so that no one could leave the pueblo without a judge's permission.

Likewise, I see from the aforesaid document that he is attempting to strip me of my right to ownership of the mine that I alone have, saying that he filed the claim to the mine verbally before you, pushing me aside and leaving me without a claim as though I had forgotten and abandoned it. He is making himself the absolute owner of the mine by

hecho, debiendo dicho Samperio tener presente lo que previenen las reales ordenanzas de minería. Que si se hubiera hecho cargo de ellas no presentaría semejante escrito ni hablaría en él con tanta libertad diciendo ser él el dueño principal e yo el agregado, cuando yo tengo posesión sesión y registro de dicha mina sin perjuicio de tercero que mejor derecho tenga? Y el no tener ni aun un papel simple siendo. Por estas razones todo lo que expresa en su escrito es reacio y de ningún valor por tanta falsedad como en él se ve.

No obstante por lo que dice dicho Samperio en su escrito ser dueño de ella y que por iguales partes ha concurrido a los gastos que se erogan diariamente en la mina faltando a la legalidad de los [avíos] de vienes, suplico a vuestra merced justicia mediante se sirva de mandar llamar ante vuestra merced y a su juzgado a don Gaspar Samperio de la Mora y que bajo religión del juramento declare qué en siete semanas que cumplieron sábado veinte y ocho del que finaliza que tengo poblada la mina necesarios o menesteres ha concurrido a su laborío (siendo necesario) todos los días veinte y seis subsistencias para poder laborearla) raciones o salarios ha suministrado y pagado a los operarios en [este] tiempo.

Asimismo suplico a vuestra merced sea servido de declarar al pie [de] este si compre a vuestra merced el doce de marzo del presente año doce libras de pólvora.

Atendiendo a justificar no tener el citado don Gaspar derecho ninguno a la citada mina que yo poseo (no obstante que *in voce* le admití en mi [nombre]) por hacerle bien y por sus ofrecimientos tan cuantiosos que prometió el fomento de la mina, aunque nunca le creí nada. Pues vino de Chihuahua el día cinco de marzo del presente año de ochenta y siete [para] subir [los implementos] y necesarios a la mina en una carreta uncida con seis bueyes [y] cuatro mozos que iban cuidándola. Y me costó el dinero cuando el [día] seis del mismo mes de marzo (y sin haber pasado treinta horas) me en[vió] un recado dicho Samperio con un mozo quitándolo de su trabajo y di[ciendo] que mandara por el tren que aquello no tenía hechura ni fundamento alguno que no quería ni mirar para dicha mina. Como si vuestra merced [sea] servido de tomarles juramento a don Francisco Barrio y Manuel B[?] declararán como que

means of the verbal claim that he states in his document that he has made.

Samperio should keep in mind what is provided for in the royal mining ordinances. Had he followed them, he would not have presented such a document or spoken so freely, saying that he was the principal owner and I the associate. Given that I have the act of possession, the cession, and the registration without prejudice to a third party who might have a better right, he does not have a single piece of paper. For these reasons, everything he expresses in his document is loathsome and worthless because it is so false, as one can see.

Nevertheless, because of what Samperio states in his document, that he is the owner of the mine and has incurred in equal measure the expenses that are run up daily in it, which, with respect to provisioning of goods, is untruthful, I ask you to see fit to order don Gaspar Samperio de la Mora summoned before you in your court. This is so that he will state under oath what necessities or implements (of which twenty-six are needed every day to work the mine) he has taken to the mine works during the seven weeks that ended on the twenty-eighth of this month while I have been at the mine and what rations he has supplied or salaries he has paid to the workers during this time.

Likewise, I ask you to see fit to state at the bottom of this page whether I purchased twelve pounds of gunpowder from you on the twelfth of this month.

I am seeing to proving that don Gaspar Samperio de la Mora has no right to the aforesaid mine, which I possess, despite the fact that I allowed him to speak in my name. This was to do him a good turn and because of the generous offers he made in promising to foster the growth of the mine, even though I never believed anything he said. He returned from Chihuahua on 5 May of this year of 1787 to take [implements] and supplies up to the mine in a cart drawn by six oxen and in the company of four young men who were guarding it. This cost me money when on the sixth of the same month of March, without thirty hours having passed, Samperio sent me a message by one of the young men, taking him away from his work. He told me to send for the equipment, because the operation was not feasi-

estaban presentes cuando dicho mozo llegó con el recado. Le respondí al expresado mozo diciendo dijera [a dicho] Samperio que si era juego de niños avisará. Pues que el día antes [había] subido con el tren y ahora no habiendo pasado treinta horas en [vió] a decirme mandara por él y que recados no se mandaban [al]guna persona precediendo semejantes asuntos.

Se fue el mozo [dentro de po]co tuve razón por unos mozos míos que estaban haciendo carbón p [ara] dicha mina que aquella tarde se había bajado a su casa sin [haber] tenido ni aun atención de verme ni comunicarme nada sobre el asunto. No es lo más esto sino que vociferó por todo el lugar que aunque tuviera oro molido ni mirar para la mina y menos subir a ella, quitando el crédito a dicha mina con cuantos comunicaba hablando mal de sus metales (como justificaré siempre que el caso llegue), quizá porque yo desistiera de trabajar en ella para después ir él. Pues de su mucha malicia y codicia que en su escrito manifiesta no se puede presumir otra cosa aunque yo todas estas voces las desprecié sin hacer caso de nada.

También suplico a vuestra merced justicia mediante se sirva de mandar comparecer ante sí y en su juzgado al minero Nicolás López a los barreteros Gabriel Gradilla, Carlos Montoya y Juan Lara al tenatero Carlos Lara y a los escolteros Rafael Trujillo, Cornelio Vargas y Cristóbal Padilla y que bajo de la religión del juramento declaren quien desde el primer día que fueron a trabajar la mina les ha dado ración les está pagando su jornal y con quien han tenido ajuste de sus jornales y que también declaren que vienes o menesteres para trabajar dicha mina han conocido y conocen perteneciente a don Gaspar Samperio de la Mora. Pues allí no se ha conocido ni se conocerá más que cuando subió llevó un cuero para dos tanates un peso de velas un pedazo de acero y una libra de pólvora. Es público y notorio señor en este lugar lo que me ha costado dicha mina en el tiempo que la he trabajado sin ayuda de persona alguna.

Sobre la carta que el expresado Samperio cita en su ya citado escrito, no tengo a él que darle cuenta alguna cuanto he obrado y obro solo y sin caudal ni menester del predicho Samperio. Pues en lo mío me parece puedo determinar y disponer sin dar cuenta a

ble and had no basis whatsoever, and that he did not even want to look at the mine. If you see fit to take sworn testimony from don Francisco Barrio and Manuel B[illegible], they will state that they were present when the young man arrived with the message. I answered the young man by telling him to say to Samperio that if this was child's play, he should let me know. He had gone up with the equipment on the previous day and before thirty hours passed sent a message telling me to send for it. No one bent on pursuing such matters sends messages.

The young man departed, and I later learned from some of my young men who were making charcoal for the mine that Samperio had come down to his house that afternoon without informing me and without a thought of seeing me or communicating anything about the matter. That is not the worst. He was clamoring all over the place that even if it had pure gold, he did not even want to look at the mine, much less go up to it. He downplayed the value of the mine with everyone he communicated with, speaking poorly of its ores, which I can prove should the case arise. Perhaps this was so I would stop working the mine so he could later go himself. Given the great malice and greed evident in his document, I can presume nothing else, even though I dismissed all this clamor without paying it any mind.

I also ask you, with the help of justice, to see fit to order the miner, Nicolás López; the ore cutters, Gabriel Gradilla, Carlos Montoya, and Juan Lara; the ore carrier, Carlos Lara; and the guards, Rafael Trujillo, Cornelio Vargas, and Cristóbal Padilla, to appear before you in your court and swear under oath who gave them rations, paid their daily wages, and kept track of the days they worked since the first day they went to work the mine. They should also state what goods or implements they have known or know belong to don Gaspar Samperio de la Mora. At the mine they have neither known nor will they know anything other than what he took when he went up: a hide for the ore carriers, a peso's worth of candles; a piece of steel, and a pound of gunpowder. It is public knowledge and well known in this place, sir, how much this mine has cost me and how long I have worked it without help from anyone at all.

nadie.

No expongo otros muchos motivos que me quedan para no admitir su compañía por no molestar ni confundir en contestar tanta cavilación. Por todo lo cual a vuestra merced pido y suplico sea servido de tomar las declaraciones que en e[sto] solicito sin demora y demandar que dicho Samperio presente los [docu]mentos de propiedad y dominio que tenga a dicha mina. Y no lo [ha podi]do como no los tiene de eximirle enteramente de la compañía que pretendo. Pues yo de ninguna manera lo admito ni quiero ahora ni en [ningún] tiempo su compañía por sus malos e inconsecuentes promesas menos por su mucha malicia la que es causa y ha sido que [otras] minas se han perdido e inutilizado por sujetos a esta naturaleza.

Declarándome como estoy declarado por los antecesores de [vuestra merced] por único dueño de dicha mina providenciando al mismo tiempo [al] pie de este por presentado en Justicia mediante la cual imploro costos daños y demás que haya lugar. Juro no ser de malicia mi escrito y en lo necesario etcetera.

Francisco Díaz Moradillos [rúbrica].

As for the letter Samperio cites in his document, I do not have to give him any accounting whatsoever of when I have worked and am working alone without any money or implements from him. Regarding what is mine, it seems to me that I can decide and act without giving an account to anyone.

I do not expound on the many other reasons I have for refusing his partnership, so as not to bother or confuse by responding with so much deep thinking. For all this I ask and beseech you to see fit to take the statements I request herein without delay and order Samperio to present whatever documents of ownership and dominion he has for the mine. As he has been unable to do so, since he does not have any, he should be completely excluded from the partnership he is seeking. In no way do I accept him nor do I want him as a partner, now or at any time, given his great malice. This has been the cause of other mines having been lost or not worked by people of this kind.

I implore you to declare me the sole owner of the mine, as your predecessors did, and at the same time to rule at the end of this document that it was presented with justice, through which I ask for costs, damages, and whatever else is allowed. I swear that this my document is not malicious, to whatever else is necessary, and so forth.

Francisco Díaz Moradillos [rubric]

Silver and gold were not the only metals found and exploited in the colonial period. It has been convincingly argued that in the last quarter of the eighteenth century Spanish soldiers began to traverse the area that was to become the Santa Rita del Cobre mining district and probably knew of its copper deposits even earlier.¹⁰ Nevertheless, it seems no less clear that the ore body was not exploited in any systematic way until near the turn of the nineteenth century. As the following documents attest, mining officials in Mexico City initially examined samples of Santa Rita copper in 1804. The first document is a report on assays that contains a revealing view of the mineralization of the ore and records the enthusiastic response its arrival in the royal mint in Mexico City produced. The second document informs the viceroy of New Spain of a plan put forward by the commandant general of the Interior Provinces, Nemesio Salcedo, to have miners deliver copper to Chihuahua and be paid there, rather than shipping the ore all the way to Mexico City, a proposal that was eventually rejected.

Luis Osorio Barba, Informe sobre un ensayo, México, 4 de maio de 1804.¹¹

Señor juez superintendente:

Luego que llego a mis manos el cobre nativo de las sierras situadas al norte del Presidio de Janos forme concepto de que podía ser muy ventajoso a la

Luis Osorio Barba, Report on an assay, Mexico City, 4 May 1804.

Lord judge superintendent:

As soon as I received the copper from the mountains located to the north of Janos Presidio, I formed the opinion that it could be very beneficial to the

real hacienda y a las labores de esta real casa por hallarse mezclado con las minas¹² del mismo metal que los naturalistas conocen por cobre rojo y verde montaña o cobre mineralizado por el ácido sulfúrico facilitando mucho su afinación y saliendo de ella muy puro sin mezcla de antimonio ni arsénico; lo que no sucede con el cobre mineralizado por estos semimetales que necesita multiplicar las operaciones con crecidas mermas y nunca queda en el estado de pureza que se requiere para ligar la plata poniéndola agria e indúctil para las labores de moneda aumentando sus costos y desperdicios.

Con este objeto presente a vuestra señoría la mina o metal (nombre con que se conoce en este reino) y una pequeña plancha que obtuve de su primera fundición y sufrió todas las pruebas indicadas por los ministros de ejército y real hacienda en su informe de 3 de diciembre último; y vuestra señoría convencido de su utilidad me comisionó para que practicara las diligencias conducentes a la compra de todo el que se gasta en la liga; las que han tenido su cumplido efecto estando contratada su entrega con don Mateo Palacios.

La mente del Real Tribunal de Cuentas es proporcionar el justo precio de este metal sin gravamen del rey ni del vasallo pidiendo las instrucciones más oportunas para resolver con acierto este importante objeto. El afinador asienta en su precedente informe ser de excelente calidad y que no hay comparación en los gastos y mermas de su afinación con los que se impenden y las que originan los otros cobres del reino en lo que estamos enteramente de acuerdo.

En algunos ensayes que he hecho de este cobre en cortas cantidades por medio de los ácidos no he encontrado arsénico sino ácido sulfúrico y muy poco fierro lo que puede provenir o de que no lo hayan contenido las porciones que he ensayado o de que haya yo incurrido en algún error a que están expuestas estas operaciones respecto a que el afinador asienta que no le falta este semimetal.

También he ensayado el cobre del Perú y me parece que si no le excede el de que trata este expediente al menos le iguala en calidad.

Fielatura de esta real casa de moneda de México y mayo 4 de 1804

Luis Osorio Barba [rúbrica]

royal treasury and the labors of this royal mint because it is found in combination with ores of the very metal that naturalists know as red copper and mountain green,¹³ or copper mineralized by sulfuric acid, which greatly facilitates refining it, since it comes out very pure without an admixture of antimony or arsenic. This does not happen with copper mineralized by those semimetals that require repeated operations with greater reductions. It never attains the state of purity required to alloy the silver, which it makes unmalleable and too hard to mint into coin, thus increasing costs and waste.

With this in mind, I presented to you the ore or metal (which is how it is known in this kingdom) and a small sheet I obtained from its first smelting. It underwent all the tests indicated by the ministers of the army and royal treasury in their report of 3 December last. Convinced of its utility, you commissioned me to carry out measures leading to the purchase of all that was expended in the alloy. These measures have had their full effect, and delivery of the ore is contracted for with don Mateo Palacios.

The opinion of the Tribunal of Accounts is to provide the fair price for this ore without the king's tax or that of the vassal and ask for the most suitable instructions to resolve this important matter correctly. The refiner notes in his present report that the ore is of excellent quality and that the losses and reductions of its smelting do not compare with those expended and caused by the other coppers of the kingdom. In this we are completely in agreement.

In some assays that I have made of small quantities of this copper by means of acids, I have found sulfuric acid and very little iron, but no arsenic. This could result from the fact that the samples I assayed did not contain it or from my having made some error to which these operations are subject, given that the refiner states that this semimetal is present.

I have also assayed the copper from Peru, and it seems to me that if the copper dealt with in this file does not surpass it, it is at least its equal in quality.

Office of the administrator of weights and measures of this royal mint, Mexico City, 4 May 1804.

Luis Osorio Barba [rubric]

El Marqués de San Román a José de Iturrigaray, México, 6 de julio de 1804.

Excelentísimo Señor,

El asunto principal de este expediente según el oficio con que principia del actual señor comandante general de Provincias Internas don Nemesio de Salcedo, se reduce a promover el fomento y laborío de las minas de cobre en aquellos vastos países, conforme a la voluntad de su majestad declarada por las varias reales ordenes que cita.

Con este objeto da cuenta aquel Jefe a vuestra excelencia de haberse descubierto nuevamente ricas vetas de este metal en unas sierras al norte del Presidio de Janos; y propone como un medio de que se fomente la extracción del cobre, tan necesario para varios usos del real servicio, y de la sociedad civil, que puedan progresar los individuos que se empleen en tal útil negociación, recibiendo inmediatamente el fruto de sus tareas, sin esperar la larga demora de conducirlo a México y aguardar su importe; propone, digo, el que si vuestra excelencia lo tiene a bien, se presenten los cobres que allí se extraigan y fundan en la tesorería de Chihuahua para que, examinada su calidad por aquel ensayador, u otra persona inteligente, se paguen con arreglo a ella, por cuenta de la real hacienda, y se remitan oportunamente de la misma, a esta tesorería general, descontándose a los vendedores, del precio que se les considere, lo respectivo a fletes y real derecho de alcabala; pero deseando el acierto el señor comandante general, pide a vuestra excelencia que al mismo tiempo, en caso de adoptarse su pensamiento, se sirva mandarle una instrucción para gobierno de aquella tesorería, que determine las circunstancias, calidad, y ley del cobre de recibo, y el precio a que deberá pagarse.

La propuesta que hace el señor comandante general es propia de su talento y notorio celo: en mi concepto no hay otra que pueda conducir más directamente al fomento y progresos de aquellos nuevos minerales; y por lo tanto soy de sentir que debe adoptarse, y ponerse en ejecución.

En cuanto a las señales que hay para conocer la calidad del cobre (que solo consiste en su más o menos ductibilidad), ya han hablado los ministros de ejército y real hacienda cuanto puede decirse en la materia según sus conocimientos y larga experiencia.

The Marqués de San Román to José de Iturrigaray, Mexico City, 6 July 1804.

Most excellent lord,

According to the official letter from the current commandant general of the Interior Provinces, don Nemesio Salcedo, which is at the beginning of the file, the principal subject of this file can be summarized as promoting the growth of and labor in the copper mines in those vast lands in accord with his majesty's will, which is stated in various royal orders he cites.

With that in mind, that official reports to your excellency that rich veins of that ore have been newly discovered in some mountains north of Janos Presidio. As a means to increase the extraction of copper, so necessary for various uses in the royal service and in civil society, he proposes that the individuals employed in such a useful business should immediately receive the fruit of their labors without having to wait during the long delay that results from transporting it to Mexico City and awaiting its price. He proposes, as I say, that if your excellency approves, they should deliver the copper they extract to Chihuahua and smelt it in the treasury office there. After its quality has been examined by that assayer or another knowledgeable person, they can be paid from the royal treasury in accord with its quality. From there it can be sent promptly to this general treasury office, and the sellers can obtain the price they consider correct, discounted with respect to freight charges and the royal right to the sales tax. Because the lord commandant general wants to be certain, at the same time he asks your excellency, if you adopt his idea, please to see fit to send him instructions for the administration of that treasury, which would decide on the circumstances, quality, and quantity of metal in the copper ore received, as well as the price that should be paid.

The proposal the lord commandant general makes to you accords with his talent and well-known zeal. In my opinion, there is nothing else leading more directly to the increase and progress of those new mines. Therefore it is my thought that it should be adopted and put into execution.

With respect to the existing indications for knowing the quality of the copper, which consist only of whether it is more or less ductile, the minis-

Pero contrayéndome al cobre de la sierras de Janos, que es el punto de la cuestión, puedo asegurar a vuestra excelencia con los votos de nuestro afinador don Salvador de la Vega, y principalmente del fiel administrador de esta real casa don Luis Osorio, que ha hecho y repetido varios experimentos en mi presencia; que es el mejor cobre que ha entrado en ella en muchos años a esta parte, el más limpio, más dócil, y más a propósito para las alegaciones de moneda. Por consiguiente, siendo superior, o cuando menos de igual calidad al mejor venido del Perú, que se paga en la tesorería general a veinte y cinco pesos quintal, me parece que este mismo (siempre que no degenera su bondad y limpieza) debe ser el precio del cobre procedente de las sierras de Janos, por exigirlo así la equidad y la justicia.

Bajo este concepto, en caso de convenir vuestra excelencia en que se haga el rescate de este metal por la tesorería de Chihuahua, puede considerársele el precio de veinte y cinco pesos quintal, y rebajarse de él al vendedor lo correspondiente a fletes del cobre y del dinero de vuelta; lo respectivo al real derecho de alcabala, si no goza excepción de ella, y un algo más por razón de mermas del camino, y demás accidentes que acaso ocurran; quedando a derecho el vendedor tanto para devolver lo que haya recibido de más al tiempo de la compra, si en México se regula menor precio al cobre, por haber bajado de calidad; como para ser reintegrado de lo que haya percibido de menos, de resultas de los descuentos eventuales que allí se le hicieron.

Este es mi dictamen a cerca del punto principal a lo que dice el señor contador en su precedente Informe, así sobre la partida de cobre de las sierras de Janos comprada a don Mateo Palacios y compañía, como sobre la contrata indeterminada en el número de quintales que hemos acordado celebrar con el mismo Individuo para la provisión sucesiva de esta real casa, por la conocida utilidad que ofrece a sus importantes labores; de que oportunamente daré cuenta a vuestra excelencia

México, 6 de Julio de 1804

San Román [rúbrica]

ters of the army and the royal treasury have already said all they can about the matter based on their knowledge and long experience. Limiting myself to the copper from the mountains of Janos, which is the point of the matter, I can assure your excellency with the opinion of our refiner, don Salvador de la Vega, and above all that of the administrator of weights and measures of this royal mint, don Luis Osorio, who has made and repeated various tests in my presence, that it is the best copper that has come into this mint in many years, the cleanest, most malleable, and best suited for coinage. For this reason, because it is of higher quality than the best from Peru, or at least equal to it, for which the general treasury office pays twenty-five pesos a hundredweight, it seems to me that as long as it remains good and pure, this should be the same price for copper from the mountains of Janos, since equity and justice demand it to be so.

Given this opinion, should your excellency agree that the treasury office in Chihuahua should purchase this ore, the price can be set at twenty-five pesos a hundredweight, with a reduced price to the seller in accord with the freight charges for the copper and a lesser amount from the money returned with respect to the royal right to the sales tax, if he does not enjoy an exemption from it, and something more for the losses of the road and other accidents that may happen. The seller may retain the right to return any extra he may have received at the time of purchase, if in Mexico City a lower price for the copper is decided upon because the quality has gone down, and to have returned to him any shortage that results from incidental discounts made there.

This is my opinion regarding the principal point to which the lord comptroller speaks in his current report, about both the shipment of copper from the mountains of Janos purchased from don Mateo Palacios and company and the contract that we have decided to sign with the same individual for the future supply for this royal mint for an undetermined number of hundredweight, because of the known utility this offers for its important labor. I shall promptly report to your excellency about this.

Mexico City, 6 July 1804.

San Román [rubric]

Administrative is the focus of the following documents pertaining to Santa Rita, which during the Spanish period came under the jurisdiction of the commander of Janos Presidio. As a practical matter, however, a local official was needed to oversee law and order, acting as a court of the first instance to deal with petty crime. These two documents relate to the creation of this post and the appointment of Diego Obeso, an agent for Francisco Manuel de Elguea, to fill it; the second also discusses the procedure for filing mining claims in Chihuahua.

Nemesio Salcedo, Decreto, Chihuahua, 4 de agosto de 1804,¹⁴

Don Nemesio Salcedo y Salcedo, brigadier de los reales ejércitos, gobernador y comandante general en jefe de las Provincias Internas del reino de Nueva España, inspector de sus tropas regladas y de milicias, superintendente general, subdelegado de real hacienda y ramo del tabaco, juez conservador de este y subdelegado general de correos, etcetera.

Por cuanto en la sierra nombrada del Cobre se han reunido diferentes personas con el fin de emplearse en las labores de las minas de aquel metal descubiertas en ella; conviene al mejor servicio y causa pública así como también al buen orden y arreglo que haya un sujeto que en calidad de teniente o comisario de Justicia y con inmediata dependencia del comandante del Presidio de Janos, oiga las demandas que se ofresieren corrija los escándalos y clase de delitos, y practique las diligencias que sean necesarias para su averiguación dando cuenta con ellas al referido comandante he nombrado para el enunciado cargo de teniente o comisario de justicia de los descubrimientos de minas en dicha Sierra del Cobre a don Diego Obeso que se halla establecido en ella. Por tanto mando al referido comandante del Presidio de Janos que dándole la instrucción que considere necesaria, disponga que dicho Obeso se haga cargo de la administración de la justicia en el citado distrito y que las personas [que habitan] en él lo hayan y respeten según y como [deben por] razón del empleo que en virtud de este despacho le confiero.

Dado en Chihuahua a cuatro de agosto de mil ochocientos cuatro.

Nemesio Salcedo

Francisco Javier de Trujillo

Queda copiado este nombramiento o titulo de teniente en el libro que se ha puesto para asentar los asuntos correspondientes al Real y Minas de Cobre. Janos, 10 de Agosto de 1804. Tovar

Nemesio Salcedo, Decree, Chihuahua, 4 August 1804.

Don Nemesio Salcedo y Salcedo, brigadier of the royal armies, governor and commandant general in chief of the Interior Provinces of the kingdom of New Spain, inspector of regular troops and of militia, superintendent general and subdelegate of the royal treasury and the tobacco section, judge conservator of the tobacco section, and subdelegate general of the mail, and so forth.

Given that various people have gathered in what is called the Sierra del Cobre in order to engage in the labors of the mines of that ore that have been discovered in that range, it is appropriate to best serve the public good, as well as for good order and proper management, for there to be someone in the capacity of lieutenant or commissary of justice, immediately subordinate to the commandant of Janos Presidio. He is to hear whatever complaints may arise, correct scandals and other crimes of this sort, and carry out actions that may be necessary to investigate them, reporting to the aforesaid commandant. I have named don Diego Obeso to the post of lieutenant or commissary of justice of the discoveries of mines in the Sierra del Cobre, where he is established. Therefore, I order the commandant of Janos Presidio to give him whatever instruction he deems necessary for Obeso to take charge of the administration of justice in that district and for the people who live there to consider and respect him as they should, by reason of the employment I have conferred on him by virtue of this dispatch.

Issued in Chihuahua on 4 August 1804.

Nemesio Salcedo

Francisco Javier Trujillo

This appointment or title of lieutenant is copied into the book established to record matters relating to the real and copper mines. Janos, 10 August 1804. Tovar.

Nemesio Salcedo to the Commandant of Janos Presidio, Chihuahua, 8 September 1804.

Quedo impuesto por la copia que incluye vuestra merced en oficio numero 176 de 24 de agosto último de las prevenciones que ha hecho a don Diego Obeso teniente de justicia de las Minas del Cobre para que le sirva de gobierno entre tanto tiene vuestra merced lugar de extenderle la instrucción que su título previene.

Según la situación que ocupa la Sierra del Cobre debe considerarse correspondiente a la provincia de Nuevo México y no a ésta de Nueva Vizcaya, ni a la de Sonora; bajo cuyo principio si en alguno de los pueblos del distrito de aquella gobernación hubiese diputación territorial de minería en ella era en la que deberfan a las vetas que trataran de registrar, pero como hasta el día no se ha erigido, corresponde a la diputación de esta villa el conocimiento de los negocios de minas descubiertas, y que se descubran en el Nuevo México, y por consecuencia le toca conocer de las referidas del Cobre según hasta ahora se ha ejecutado, en lo que no debe hacerse novedad: cuya declaración servirá a vuestra merced de gobierno.

Dios guarde a vuestra merced muchos años. Chihuahua, 8 de Septiembre de 1804

Nemesio Salcedo [rúbrica]

Nemesio Salcedo to the Commandant of Janos Presidio, Chihuahua, 8 September 1804.

I am informed from the copy you included in the official letter number 176 of 24 August last of the precautions you made known to don Diego Obeso, lieutenant magistrate of the copper mines, so that they would give him guidance until you had the opportunity to provide him with the instruction his title calls for.

Because of the site the Sierra del Cobre occupies, it should belong to the province of New Mexico rather than this one of Nueva Vizcaya or that of Sonora. Following this principle, if any pueblo in the district of that government had a territorial mining delegation, that is where claims for veins should be registered. Up to now, however, since none has been established, the knowledge of matters related to mines that have been discovered and that may be discovered in New Mexico is the responsibility of the delegation of this villa. As a result, it falls to the delegation to keep informed about the aforesaid copper mines as they have done up to now, and no change should be made. This statement will give you guidance.

May God keep you many years. Chihuahua, 8 September 1804.

Nemesio Salcedo [rubric]

Elguea himself figures in the first document that follows. In it he requests possession of a placer mine Blas Calvo y Muro was working in the district. Although less well known than Elguea and the retired lieutenant colonel, José Manuel Carrasco, Calvo y Muro was also one of the important early figures at Santa Rita. In the second document, the commandant of Janos Presidio reports on having declared Calvo y Muro, rather than Carrasco, discoverer of the Real of Santa Rita.

Nemesio Salcedo to José María de Tovar, Chihuahua, 16 November 1804.

Dirijo a vuestra merced una instancia en que don Francisco Elguea pidió la posesión de la mina placer que en la Sierra del Cobre trabaja don Blas Calvo, para que conforme he resuelto en ella admita vuestra merced la comisión que le ha conferido la diputación de minería de esta villa respecto a que debe pasar a los citados descubrimientos.

Dios guarde a vuestra merced muchos años, Chihuahua, 16 de Noviembre de 1804.

Nemesio Salcedo [rúbrica]

Nemesio Salcedo to José María de Tovar, Chihuahua, 16 November 1804.

I am sending you a petition in which don Francisco Elguea requested possession of the placer mine in the Sierra del Cobre that don Blas Calvo works. In accord with it I have decided you will recognize the commission he was given by the mining delegation of this villa regarding the fact that he is to go to the sites that have been discovered.

May God keep you many years. Chihuahua, 16 November September 1804.

Nemesio Salcedo [rubric]

El comandante del Presidio de Janos a José María de Tovar, Janos, 10 de diciembre de 1804.

Respecto a que al recibo de la providencia que antecede, tengo dada sesión al Teniente de Dragones Provinciales don Blas Calvo y Muro de la mina de oro nombrada Santa Rita con dos pertenencias en su beta, la una consiste en la escritura que acompaña y la otra en un escrito que presento en la Sierra del Cobre el día 2 del corriente y con atención a que en el presente mes no puedo separarme de este presidio, por tener que formar los documentos de fin de año, hacer la entrega de intereses, visar las cuentas de la tropa, y contestar varias ordenes superiores que he recibido en este correo devuelvo a los señores juez territorial y diputados de minería de Chihuahua este expediente, para que se sirvan suspender la ejecución del auto con que concluye, Interin declaren quien es el descubridor del Real del Oro de la Sierra del Cobre; pues si resulta serlo el Teniente Coronel retirado don José Carrasco, será forzoso volver a tomar medidas nuevas, en caso de darse ahora a don Blas Calvo y Muro las tres pertenencias que se expresan; y para constancia lo firmo en el Presidio de Janos a 10 de diciembre de 1804.

Commandant of Janos Presidio to José María de Tovar, Janos, 10 December 1804.

With respect to having received the previous ruling, I have conveyed cession to the lieutenant of provincial dragoons, don Blas Calvo y Muro, of the gold mine called Santa Rita and two associated mines on the same vein. One is of record in the accompanying document and the other in a document he presented in the Sierra del Cobre on the second day of this month. Given that I cannot leave this presidio this month because I have to prepare the documents for the end of the year, hand over the interest earned, review the accounts for the troops, and answer several orders from superiors that I have received in this mail, I am returning this file to the territorial judge and the members of the mining delegation of Chihuahua. This is so they can delay execution of the proceedings contained therein until they declare who is the discoverer of the gold-mining real of the Sierra del Cobre. If it turns out to be the retired lieutenant colonel, don José Carrasco, it will be necessary to adopt new measures because I have given don Blas Calvo y Muro the aforesaid three associated mines. So that it may be of record, I sign it in Janos Presidio on 10 December 1804.

Something of the scale of activity in the Santa Rita district on the eve of the beginning of the struggle for Mexican independence is learned from the report of the local justice in the spring of 1810. Continued prospecting led to the establishment of a number of placer mines in the surrounding area as the district expanded. It also seems noteworthy that even though no Apache raiding was reported, the mine works were always under guard.

José Baca al comandante del Presidio de Janos, Real del Cobre, 24 de maio de 1810.¹⁵

Contestando al oficio de vuestra merced de 17 del corriente, debo informarle que don Diego Rueda en su particular y 38 hombres forasteros que hasta la fecha han entrado en este real a hacer la diligencia de su cuenta respectivamente se han establecido en el, ejecutando sus salidas a descubrimientos semanariamente y recogiendo al centro del vecindario en los días festivos: todos los tengo encargados al cuidado o comandancia del citado don Diego, y no se han alejado de los placeres de la Santísima Trinidad que dista dos leguas de este establecimiento, situando en las horas de sus operaciones vigías o centinelas para

José Baca to the Commandant of Janos Presidio, Real del Cobre, 24 May 1810.

In response to your official letter of the 17th of the present month, I must inform you that don Diego Rueda himself and thirty-eight men who are outsiders have entered this real up to now to carry out the action he is charged with and have established themselves here. They carry out their prospecting expeditions weekly and return to the center of the community on holidays. I have placed them all under don Diego's care or command. They have not left the placeres of Santísima Trinidad, which is two leagues from this settlement, posting guards or sentinels during their hours of operation for the nec-

la debida seguridad como les tengo dictado.

Parece han llegado a descubrir algunas tierras o nuevos placeres de oro en una loma inmediata a la cañada que llaman de Los Nogales y dista legua y media del real, y como legua y media de los referidos de la Santísima Trinidad: allí se ha resuelto desde este día la reunión de todos con las oportunas precauciones a fin de continuar los experimentos que se prometen favorables, y yo estaré a la mira para reglar las providencias más adecuadas al mejor éxito y debido cumplimiento de la superior orden del señor comandante general que se sirve vuestra merced comunicarme.

Le acompaño a vuestra merced el estado de fuerzas y diario de las novedades ocurridas en este establecimiento desde 26 de marzo hasta la fecha: por el vera vuestra merced las ningunas novedades que hemos tenido por enemigos.

Dios guarde a vuestra merced muchos años Real del Cobre 23 de Mayo de 1810.

José Baca [rubrica]

Señor Capitán y Comandante del Presidio de Janos

essary security, as I have directed them.

It appears that they have discovered some new territory or new gold placers on a hill next to the cañada they call Los Nogales, which is one and a half leagues from the real and one and a half leagues from the placers of Santísima Trinidad. They have all decided to gather there after today, taking the appropriate precautions so that their testing, which promises favorable results, can continue. I shall be watchful so I can make rulings that are best for the greatest success and the necessary fulfillment of the lord commandant general's superior order that you see fit to communicate to me.

I enclose for you the report on the status of the troops and the journal of recent events that have taken place in this settlement from 26 March to the present. You will see from it that we have had no enemy activity.

May God keep you many years, Real del Cobre, 23 May 1810.

José Baca [rubric]

Lord Captain and Commandant of Janos Presidio

The final series of documents sheds light on the religious life of the Santa Rita mining community and gives an updated figure for its population. According to an ecclesiastical census conducted in 1806, Santa Rita had thirty-four families consisting of one hundred and sixty-four individuals who were served by an interim parish priest.¹⁶ Six years later, even though the population had grown to between three and four hundred, there was neither a resident priest nor a church.

José Miguel de Irigoyen a Fernando Bustos, Durango, 15 de septiembre de 1812.

En vista de lo que el cura del Paso del Norte don Juan Tomás Terrazas representó en oficio de 29 de Julio último acerca de las cuatrocientas y tantas personas que residen en el Real del Cobre sobre quien les debe administrar los sacramentos a su continuación se proveyó un decreto del tenor siguiente.

Decreto

Sala capitular de la Santa Iglesia Catedral de Durango Agosto 25 de 812 = Remítase original al cura vicario juez eclesiástico de la villa de Chihuahua para que informe sobre todos y cada uno de los puntos que contiene este oficio extendiéndose sobre si le fuere posible decir a que jurisdicción le parece toque el Real del Cobre, para en vista de lo que de ello resulte resolver lo conveniente El Ilustrísimo Muy

José Miguel de Irigoyen to Fernando Bustos, Durango, 15 September 1812.

In light of what the parish priest of El Paso, don Juan Tomás Terrazas, states in his official letter on 29 July last regarding the four hundred and some people who reside in the Real del Cobre and about who should administer the sacraments to them, the following decree was issued.

Decree

Chapter room of the Holy Cathedral of Durango, 25 August 1812. Send the original to the parish priest, vicar, and ecclesiastical judge of the villa of Chihuahua for him to report

on each and every one of the points mentioned in this official letter. If it is possible for him to say, he should state at length the jurisdiction to which he thinks the Real del Cobre belongs. This is so that,

Venerado Señor y Deán y Canónigo Gobernador Sede Vacante.

Así lo acordó decretó y firmó por ante mi, de que doy fe = Gámez = Fernández = Licenciado Labarrieta = Salcido = Ante mi José Miguel de Irigoyen = Secretario de Gobierno

Informe

En puntual cumplimiento del antecedente superior decreto de vuestra señoría yo debo decir que no puedo dar a vuestra señoría un completo informe de lo que comprende el oficio del cura del Paso del Norte Presbítero don Juan Tomás Terrazas, por no tener más instrucción de ello; que es que el Real de Santa Rita del cobre se halla habitado de trescientas a cuatrocientas almas sin más iglesia que un pedazo de tierra destinado para enterrar los cadáveres de los que allí mueren, señalado bajo de un árbol llamado *taxate*: que dicho Real del Cobre tanto dista del Paso del Norte como del Presidio de Janos; con este motivo a ambas partes ocurren por confesiones según parece; y por bautismos y casamientos más bien ocurren a Janos por que dicen ser mejor el camino; y el capellán de dicho Janos anterior a este administraba en un todo a aquel real, resistiéndolo hacer lo de ahora, que lo es fray Fernando Bustos por la suma distancia.

La casa del finado don Francisco Manuel de Elguea, ubicada en esta villa ha pagado en varias ocasiones al cura del Paso por que le vaya a confesar la gente dándole unas veces ciento cincuenta pesos y otras doscientos cuya contribución ha cobrado en el presente año el actual cura del Paso y según me asegura el cajero de dicha casa se le pago por el administrador del cobre pero que no sabe si confeso o no la gente por que solo don Francisco José de Jáuregui que anda ausente como apoderado de la casa puede saber esto, y otras cosas más que tal vez conduzcan al fin que se solicita. También debo decir a vuestra Señoría que en lo civil pertenece el Real del Cobre al Presidio de Janos; pues el capitán comandante de éste es el que pone y quita comisarios de justicia en aquel y a quien ocurren en cosas graves que se les ofrecen Chihuahua primero de septiembre de mil ochocientos doce = Doctor Mateo Sánchez Alvarez

Y habiéndose conformado Su Señoría Ilustre Muy Venerado Gobernador Sede Vacante con este informe me manda diga a vuestra reverencia que si

based on what results, the most illustrious, venerated lord dean, canon, and governor of the vacant see can decide what is appropriate.

Thus, it was decided and signed before me, to which I swear. Gámez, Fernández, Licenciado Labarrieta, Salcido. Before me, José Miguel de Irigoyen, secretary of government.

Report

In prompt fulfillment of your previous order, I must say that I cannot give you a complete report on everything touched on in the official letter from the parish priest of El Paso, don Juan Tomás Terrazas, because I know nothing more than that the Real of Santa Rita del Cobre is inhabited by between three hundred and four hundred souls. There is no more church than a piece of ground designated for burying the cadavers of those who die there, marked out under a tree called *taxate*.¹⁷ The Real del Cobre is as far from El Paso as it is from Janos Presidio. For this reason, it seems that people go to both places for confessions as they see fit. For baptisms and marriages, they tend to go to Janos because they say the road is better. The previous chaplain of Janos administered everything for the real. The present one, fray Fernando Bustos, resists doing so because of the great distance.

The estate of the late don Francisco Manuel de Elguea, which is located in this villa, has paid the parish priest of El Paso to go hear the confessions of the people on various occasions, at times giving him one hundred and fifty pesos and at others two hundred. The current parish priest of El Paso has collected this contribution. According to what the cashier of the estate assures me, the administrator of copper paid the priest, but what he does not know is whether he heard the people's confessions. Only don Francisco José de Jáuregui, who is absent and the holder of the estate's power of attorney, would know this and other things that might lead to the desired end. I must also tell you that in civil matters the Real del Cobre belongs to Janos Presidio. Its captain and commandant is the one who places and removes commissaries of justice there and the person to whom they turn when serious matters develop. Chihuahua, 1 September 1812. Dr. Mateo Sánchez Alvarez

His lordship, the illustrious and very venerated

los vecinos del cobre ocurrieren a ese de su cargo en solicitud de confesiones o pidiendo bautismos, casamientos o entierros lo haga sin la menor novedad y si se dirigieren al cura del Paso lo hará aquel párroco guardándose entre uno y otro ministro mutuamente el procedimiento de esta operación procurando evitar cuanto le sea posible que sobre esto haya competencias entre los dos por lo que respecta a la precesión de los derechos parroquiales por que estos lo llevará íntegros el que administre los sacramentos a los interesados que los pidan.

Y lo aviso a vuestra reverencia para su debido cumplimiento en la inteligencia de que con esta fecha se le participa esta superior resolución que se observara por ahora y hasta tanto que se dicta otra providencia al cura interino vicario juez eclesiástico del Paso del Norte para iguales fines.

Dios guardé a vuestra reverencia muchos años
Durango 15 de septiembre de 1812

José Miguel de Irigoyen [rúbrica]

Secretario de Gobierno

Muy Reverendo Padre Capellán Castrense

Fray Fernando Bustos

governor of the vacant see, agreed with this report, and then ordered me to tell you, reverend father, that if the citizens of El Cobre come to the place in your charge, seeking to have their confessions heard or requesting baptisms, marriages, or burials, you are to do so without the slightest change. If they go to the parish priest of El Paso, that priest will do it. Both of you ministers should safeguard this procedure, mutually seeking to avoid competition between you over exactly who should receive the parochial fees. The one who administers the sacraments will get all the fees from those involved of whom he requests them.

I advise you of this, reverend father, so that you will give it the required fulfillment with the knowledge that as of this date you are being informed of this decision from a higher authority. It will be observed from this time until the interim parish priest, vicar, and ecclesiastical judge of El Paso makes another ruling for the same end.

May God keep you, reverend father, many years.
Durango, 15 September 1812.

José Miguel de Irigoyen [rubric]

Secretary of government

Very reverend father military chaplain

Fray Fernando Bustos

Notes

1. *The Organ Mountains of New Mexico: Prospectus, Descriptive Catalogue and Report on the Mines* (Philadelphia: Organ Mountain Mining and Smelting Association, 1881-1882), 12-15, 21, 25-29, 36, 54-55. Elias Brevoort, *New Mexico: Her Natural Resources and Attractions, Being a Collection of Facts, Mainly Concerning Her Geography, Climate, Population, Schools, Mines and Minerals, Agricultural and Pastoral Capacities, Prospective Railroads, Public Lands, and Spanish and Mexican Land Grants* (Santa Fe: Elias Brevoort, 1874), 82-83. My thanks to Homer E. Milford for these publications. Hugh Stephenson Grant, SG, 6, Spanish Archives of New Mexico, I.
2. The orthography in the documents in this article has been modernized. Punctuation and paragraphing have been supplied where needed for comprehension, especially for the 1759 documents. Because of differences in phrasing, the Spanish texts and English translations do not match exactly. José Lorenzo de Ribera, Mine registration and petitions, El Paso, 29 Jan. 1756-31 Jan. 1757, Juárez Archive, University of Texas at El Paso, microfilm, second filming (JA II), roll (r.) 5, book (bk.) 4, 1757, frame (f.) 433-36, 440-55.
3. An *estado* was roughly the height of a man.
4. Francisco García Carabajal, Mine registration, El Paso, 18 Jan. 1759, JA II, r. 1, bk. 1, 1750, f. 485-88. This document has been damaged and is partially illegible. Reconstructed text or indications of missing text are enclosed in square brackets [].
5. The ordinances of the *Nuevo Cuaderno*, or new book, issued by Felipe II on 28 August 1584, were so designated to distinguish them the ordinances issued by the same monarch in 1563. Francisco Xavier de Gamboa, *Comentarios a las Ordenanzas de Minas, 1761* (Mexico City: Miguel Angel Porrúa, 1987), 27

6. The term *real* was used to indicate both a military establishment and a mining camp or district. In these documents, both usages occur, but are clear from the context.
7. This document and the one that follows are from Gaspar Samperio de la Mora v. Francisco Díaz Moradillos, El Paso, 5-29 Mar. 1788, JA II, r. 13, bk. 1, 1788, f. 162-72. These documents are sewn, and some words are bound in.
8. In this context a *carga* refers to the load a burro could carry.
9. Assuming that this assay was expressed in the usual terms, the ore yielded some twenty-four ounces per hundred-weight, comparable to the vein in eighteenth-century Guanajuato that was described in this way, "the southwest part of the vein, which crosses the Rayas mine, contains ores whose content is commonly more than three marks." José Garcés y Eguía, *Del beneficio de los metales de oro y plata* (Mexico City: n.p., 1802), 92.
10. Billy D. Walker, "Copper Genesis: The Early Years of Santa Rita del Cobre," *New Mexico Historical Review* 54:1 (1979): 6-8.
11. This document and the one following are part of a larger file on copper, Archivo General de la Nación (Mexico City), *Minería* 18:6.
12. The Spanish text clearly reads *mina*, which can be used in the sense of ore and has been so translated in this document. The expected mining term, however, is *mena*.
13. Red copper is cuprite, or cuprous oxide, Cu_2O . Mountain green is malachite, a green basic carbonate of copper, $\text{Cu}_2\text{CO}_3(\text{OH})_2$.
14. This document and the next three are from the microfilm holdings of the Archivos Históricos, Manuscritos y Documentos de Janos (MDJ), University of Texas at El Paso, r. 15 and 18.
15. This document and the next are from MDJ, r. 2.
16. Census of the Real of Santa Rita, 15 Aug. 1806, Archivos Históricos del Arzobispado de Durango II, r. 3, f. 64-66, from the microfilm collection of the Rio Grande Collections, New Mexico State University Library.
17. *Taxate* is a regionalism peculiar to Durango for *sabino*, which is the common name in the north of Mexico for juniper. Francisco J. Santamaría, *Diccionario de mejicanismos* (Mexico City: Editorial Porrúa, 1983), 951, 1016.