

THE DEVIL IN DISGUISE

Identifying Captive Status in U.S. Administrative Materials

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Abstract

For generations, Mexican and American Indian populations reciprocally and ritualistically took captives from one another's societies in what are today the U.S.-Mexico borderlands. These captive-taking wars breached the expansion of the American state into the west (1850s) and tested the ability of the American state to enforce law and policy in a frontier environment. This intriguing history, however, has yet to be addressed in legal and social science research on race. Our goal in this article is two-fold: (1) to determine whether the captive status of individuals taken in these endemic borderland wars is visible within surviving U.S. administrative materials (e.g., census); and (2) to determine whether close analysis of census materials can be used to ascertain whether federal liberators were able to abolish the captive-taking trade relative to their official mandate. The authors analyze a core sample of 1860s-era census materials from the City of Santa Fe, New Mexico—which has a documented history of Indian captivity and enslavement—as well as church records to determine whether these materials indicate the continuance of captivity even after federal liberators had the opportunity to abolish the trade.

Keywords: Federal Census, American Indians, Race/Ethnicity, Mexican Americans, Captive Status

INTRODUCTION

In many ways, American state-building has been the practice of delineating different kinds of geographic and societal boundaries: citizen versus non-citizen; wealthy versus poor; White versus non-White—all under the framework of democratic processes and the rule of law (Young and Meiser, 2008). Within this framework operates extensive administrative machinery facilitating the expansion of the American state. Jennifer Hochschild has written on the role that administrative mechanisms—like the

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decennial census—have played in facilitating structured hierarchies that asymmetrically align characteristics like race, ancestry, and status (Hochschild and Powell, 2008).

In the nineteenth century, federal census takers in remote territories like New Mexico were responsible for describing and documenting highly diverse Indian and Mexican populations that had for generations clashed, creating a highly contentious and oftentimes unstable cultural terrain. Emblematic of these ensanguined clashes were the rapacious captive-taking wars that frequently erupted between Indian and Mexican societies. For hundreds of years, U.S.-based Indians launched large-scale raiding expeditions deep into Northern Mexico, abducted Mexican denizens on Mexican soil, and transported them back into what is today the American Southwest (Delay 2008).

For instance, in May 1835, over eight hundred Indian warriors from tribes like Comanche invaded Eastern Chihuahua, Mexico, and razed Hacienda de Las Animas (Griffen 1988). The year 1835 represented a particularly intense year for Comanche raiding in the Mexican state of Chihuahua, although bands of Apache also moved throughout the area attacking settlements at will (Griffen 1988). Livestock were pilaged, several buildings burned, six men killed, and thirty-nine women and children taken captive (Griffen 1988). In response, Mexican civilian and military militias raided Indian *rancherías*, slaughtered Indian warriors, and took Indian women and children captive so they could be put to work as domestic servants in territorial households (Sanchez 2010). In 1839, border militias from small villages in New Mexico like Cebolleta and Abiquiu entered Navajo country, sometimes under the guidance of captive Navajo boys, to plunder livestock and take captives which they later sold to *ricos* in the valley or kept for themselves as house servants (Brooks 2002). Captives from both societies were also exchanged and traded through surreptitious borderland economies operating in remote towns and villages in both the United States and Mexico (Griffen 1988).

Our intention is to begin excavating the history of captive-taking as it relates to the expansion of the American state in the West by analyzing clues left behind in U.S. administrative materials. Our project's emphasis on operational enforcement illuminates key aspects that have important implications for both New Mexico and American history. It was during this time that the United States merged immense military state-building with the incorporation of several ethnically distinct non-White populations through the U.S. annexation of the Mexican West. Such expansive change holds important consequences for American enforcement institutions operating on a contested cultural terrain that pre-dated American occupation for hundreds of years. Yet, intriguing as it is, this history has yet to be addressed in legal and social science research on race. Neither have issues involving enforcement been the focus by conventional historians working in the area of Southwestern history.

For example, James F. Brooks's *Captives and Cousins* (2002) is a historical and anthropological study of captive-taking and its relationship to borderland economies and markets. Estevan Rael-Galvez's *Identifying Captivity and Capturing Identity* (2002) is an expansive study focusing exclusively on Indian slavery as the by-product of racial and class domination as well as overlapping colonial regimes. Laura Gomez's *Manifest Destinies* (2007) explores the role that American institutions like courts of law played in creating critical social cleavages between affluent and poor Mexicans in New Mexico. The practical result was the semi-integration of upper-class Mexicans into American frontier society while impoverished Mexican classes experienced alienation. This process laid the foundation for the emergence of a segmented Mexican American society (Gomez 2007). Brian DeLay's *War of a Thousand Deserts* (2008) details U.S.-origin Indian raids into Northern Mexico and discusses their consequences relative to

the impact these raids had on the decision by the Polk Administration to annex the Mexican West through armed conflict. Pekka Hamalainen's *The Comanche Empire* (2008) explores intergenerational Comanche raiding into Northern Mexico as a dimension of a thriving indigenous colonial empire. Thus, our project fills a clear absence in this literature by analyzing the federal response to the aforementioned captive-taking wars within a specific geographic area.

This article utilizes an interdisciplinary framework involving law, historical ethnography, critical theory, and American Political Development (APD) studies. In this work we will determine whether captive status is visible within nineteenth century U.S. census data. Specifically, we are interested in finding out whether U.S. census-takers documented and preserved the servile status of Indian captives in their collection of census data.¹ Key to figuring out whether captives were present in individual dwellings will be our analysis of the demographic details recorded by census-takers and our evaluation of how they rendered subordinate relationships within the family structure based on ancestry, origin, and cultural pedigree. We believe that signifying language was used to draw symbolic distinctions between blood-related family members and non-blood-related household members. These asymmetrically aligned household members were in fact Indian captives.

In 1868, federal officials became duty-bound under the 1866 Civil Rights Act and the 1867 Anti-Peonage Act to locate and emancipate captive Indians in New Mexico (Civil Rights Act of 1866). Originally intended to breathe life into the bare delineation of freedom expressed in the Thirteenth Amendment, the 1866 Civil Rights Act described specific rights essential to any condition of freedom (e.g., the right to make and enforce contracts, the right to hold and convey property, etc.). More importantly, the 1866 Civil Rights Act guaranteed to any "inhabitant" of any state or territory the "full and equal benefit of all laws and proceedings for the security of person and property," granting federal courts original jurisdiction in these matters (Civil Rights Act of 1866). This, of course, included the right to personal liberty under the Thirteenth Amendment. While providing the legislative foundation and jurisdiction for federal officials to address matters of personal freedom, the 1867 Anti-Peonage Act specifically authorized federal officials to take action against peonage and forced servitude in the federal territories (Peonage Act of 1867). Federal liberators subsequently conducted anti-captivity investigations in Northern New Mexico (Castro 2007b).

Authenticating captive status in administrative materials is important because it will provide material evidence helpful in determining whether these federal liberators were successful in emancipating Indian servants whom they were duty-bound to locate and liberate. In other words, census data may provide a rough barometer on the continuance of the captivity trade and the relative success of federal liberators in ending it geographically.

First, we render a thumbnail sketch of federal liberation activities in the West. Then we provide a core sample of how captivities were coded into the language of church records. Evaluating church records provides a vivid illustration of how Indian captives were asymmetrically incorporated into custodial households through specific signifying language. While not linguistically identical, language synonymous with church designations signifying subordinate and servile status within the family structure may also be present in U.S. administrative materials like the decennial census. Next, we discuss whether captive status is visible in surviving U.S. administrative materials (United States Census Bureau 1850; 1860; 1870) and what conclusions we can draw regarding the efficacy of federal liberation activities—through the case of the City of Santa Fe. Finally, we provide a poignant illustration of why work like ours is critical in recovering lost histories like those involving captive-taking through race and social science research.

AMERICAN LIBERATION: BRINGING LAW AND CIVILITY TO SAVAGES AND OTHER SEMI-BARBARIC RACES

In 1848, when the United States conquered the Southwest militarily, many Americans viewed the mixed-blood populations of New Mexico with a powerful blend of anxiety and suspicion: U.S. officials considered Mexicans semi-barbarous hordes and Indians, particularly nomadic clans, outright savages (Gomez 2007). Moreover, many in America at the time considered it their obligation to cleanse the “racially defiled landscape” that had taken root in the Mexican West (Hamalainen 2008, p. 237). This included abolishing pagan rituals like the taking of captives—which amounted to little more than a “race war between two retrograde peoples” to American officials first witnessing them (DeLay 2008, p. 299).

Article XI of the Treaty of Guadalupe Hidalgo (1848) authorized U.S. officials to locate and liberate Mexican nationals captured on Mexican soil by U.S.-based Indians and taken back to the United States across the newly minted U.S.-Mexico border into U.S. jurisdictions. Technically, however, Article XI enforcement left untouched Indians held captive in custodial households throughout Northern New Mexico and the greater Western territories.

Periodically, happenstance would spark the unexpected redemption of Mexican captives from Indian raiders in the field (Twitchell 1912). In other instances, territorial authorities would liberate Indian captives through formal mechanisms like courts of law. For example, on Friday, October 10, 1862, Surveyor General John A. Clark witnessed a habeas corpus proceeding in Santa Fe where a young Indian girl who had fled from her master was emancipated by an American judge (Territorial Papers 1868). Clark noted his amazement that, given the prevalence of Indian servants throughout the New Mexican territory, the aforementioned trial was the first liberation action that he was aware of which had been brought before a territorial judge for adjudication. Six additional years would pass before the United States acted “decisively” against the trade.

In 1865, probative evidence emerged in Congress that demonstrated Indian servitude existed throughout the New Mexico territory (U.S. Congress 1867). Eyewitness accounts vividly described the capture and holding of Indians within New Mexican households as well as the exchange of captives in shadowy transnational markets (Castro 2007a; U.S. Congress 1867). Congressional leaders like U.S. Senator Charles Sumner discussed captivity and servitude in Santa Fe, New Mexico, on the Senate Floor:

The system, either in the ordinary Mexican form that of a state of continual imprisonment or service for debt, or in that of practical enslavement of captive Indians, is the universally recognized mode of securing labor and assistance. No less than four hundred Indians are thus being held in Santa Fe alone. Their treatment varies with the whims and feelings of their holders (Castro 2007a, p. 380; U.S. Congress 1867).

Pursuant to the enforcement clause of the Thirteenth Amendment and the 1866 Civil Rights Act, Congress passed the 1867 Anti-Peonage Act (U.S. Const. amen. XIII 1866). A majority in Congress had concluded that captive-taking customs, on balance, were inconsistent with emerging institutions like universal emancipation and free labor capitalism (Castro 2007b). Thus, captive-taking practices should be abrogated under the same legislation passed to permanently abolish Black slavery in the American South. Like the 1848 conquest years earlier, such an extension of political power was intended to dramatically expand federal authority in the West (White 1991).

Curiously though, one of the first steps in the enforcement process was a somewhat modest one. In 1867, New Mexico officials hired Sam Ellison and E. D. Thompson as the first federal liberators (Territorial Papers 1868). Their appointment letter described a vibrant intergenerational trade where captivity and involuntary servitude resonated sharply in New Mexico (Territorial Papers 1868). Yet, the legal means to address such gritty circumstances had heretofore been principally limited to writs of habeas corpus, which territorial justices deemed inadequate relative to the expansive nature of the problem. To this end, on recommendation of the U.S. Attorney for New Mexico, territorial justices ruled that Section 2 of the 1866 Civil Rights Act provided sufficient remedy to Indians attempting to secure their liberty from captivity and involuntary servitude (Territorial Papers 1868). Henceforth, Ellison and Thompson were directed to work with other federal authorities to liberate captive servants.

Commissioners Ellison and Thompson were responsible for apprising captives of their rights, providing them safe passage into freedom, and assessing potential charges against their owners. Moreover, these commissioners were also empowered to arrest owners and forward the results of their investigations to the U.S. Attorney's Office in Santa Fe for prosecution. In return, each commissioner would be paid ten dollars for each person liberated. Federal records indicate that Ellison and Thompson resolved only a small number of cases. Ellison filed a reimbursement request for liberating twenty-one persons and Thompson only five persons (Territorial Papers 1868). Perhaps concerned about this lack of progress, the New Mexico Supreme Court appointed William W. Griffin as the third federal liberator in March 1868 (Territorial Papers 1868).

In all likelihood, Griffin probably began to organize his investigations out of an office located in the Palace of the Governors, or *El Palacio*, as otherwise known, which bordered the Santa Fe Plaza. If the City of Santa Fe was ground zero for the captivity trade, *El Palacio* was its apex. Literally and figuratively, *El Palacio* symbolized the captive-taking wars that had progressively scarred New Mexico. Historically, Indian servants had toiled within its walls over hundreds of years (Abbink 2007). *El Palacio*, however, also symbolized broader and more vicarious struggles that the captive-taking wars invoked: dominance, subordination, racial animosity, and asymmetrical colonialism.² Ironically, the practice of captive-taking, and its ultimate abolition, would be planned by successive colonial regimes which made *El Palacio* their operational seat of power. It is a place where colonial alchemies were concocted in various attempts to transform New Mexico's non-White populations from savages to civilized human beings (McMaster 1992).

In earlier times, these colonial alchemies took highly caustic forms through the Spanish practice of "trophy-taking." To memorialize their successful raids against Indian *rancherías*, as well as to obtain the official bounties typically offered to civilian militias for such forays, Spaniards oftentimes cut the ears off of fallen Indian warriors—before taking their women and children captive. Later, back at *El Palacio's obrajes* (workshops), captive Indian servants were required to assemble these severed ears in a traditional ristra string (Blackhawk 2006). From time immemorial, ristra strings have been hung outside New Mexican dwellings and residences to dry chilies. In this instance, however, these "ear-ristras" were hung from the walls and portals along the face of *El Palacio* to serve as a grim public reminder of the fate that awaited those that resisted Spanish rule (Blackhawk 2006). Metaphorically, the Griffin investigations would represent a just as potent, albeit less overtly savage, means to exercise adversarial rule in New Mexico. In 1868, colonial power would once again radiate from *El Palacio*, but it resulted not from public displays of mutilated body parts; rather, it would flow from the federal investigations that Griffin would initiate in Santa Fe. Federal anti-captivity

investigations were intended to help facilitate the American state-building process (Gomez 2007), ultimately putting all non-White inhabitants—New Mexicans, Pueblo Indians, and Nomadic Indian clans (e.g., Navajo, Comanche)—on notice that governance in the newly minted American territory would be aligned with the authority of U.S. law.

In what amounted to quasi or neo-captivity, U.S. officials upended custodial circumstances and interrogated New Mexicans suspected of holding Indian servants, momentarily depriving these *Nuevo Mexicanos* of their liberty. In this way, federal officials positioned themselves, relative to New Mexicans, as the unquestioned successors to the former Spanish empire in New Mexico.³

A CORE SAMPLE OF HOW CAPTIVES WERE CODED INTO CHURCH RECORDS: ARCHDIOCESE OF SANTE FE ECCLESIASTICAL DATA (BAPTISMAL REGISTERS – 1869)

David Brugge (1985) breaks Indian baptisms down into two general classes, voluntary and involuntary. He admits that distinguishing between the two can sometimes be difficult; however, what is relatively free from doubt is that the baptismal rite and accompanying language used to record the induction of Indians into New Mexican households earmarked both baptismal classes as alien and subordinate to legitimate family members.⁴

With respect to captive classes, there were specific ways in which captives were characterized in Catholic Church records that are both illuminating and meaningful to our research (Brugge 1985). The baptism of captured Indian children was a major pathway for them into a life of house-bound captivity and servitude. Early church texts indicate that some baptized Indians were referred to as “*captivos*” (captives) or “*esclavos*,” (slaves), but late nineteenth century registers rarely used these terms. In 1868, federal liberator W. W. Griffin conducted anti-captivity investigations from the months of March to May. That same year, Indians were still being baptized into households within the Santa Fe Archdiocese (AASF 1869). About a year later, in 1869, the following entries [translated] were recorded in the Santa Fe Baptismal Book:

1. March 15, 1869—I baptized, Napmicena, an Indian of Juan Eztilon, 15 years of age – Godparents Majiociano Garcia and Guliana Garamillo (AASF 1869).
2. March 15, 1869—I baptized an Indian of Manuel Vacela, who is named Maria de la Luz of eighteen years of age – Godparents Pedramilo Montaño and Felemania Vacela (Brugge 1985).

Demonstrative of custodial households, where Indian children were kept as domestic servants, was how these captured children were earmarked in baptismal records. Take for example the entries above where the baptismal candidates were referenced as “Indians,” while other baptismal entries had no such specialized designation. At times, baptismal registers referred to particular tribal designations like “Apache” or “Navajo” to delineate savage ancestries (Abel 1915).

Further, the text of these baptismal entries also did not identify these individuals as “legitimate” or “natural” children, as other entries were marked. Moreover, both baptismal notes refer to Napmicena and Maria de la Luz by only their first name—absent a proper surname. More importantly, Napmicena and Maria de la Luz were identified by linguistic connectors that defined the relative authority which their “adoptive” fathers had over them, using the “*de*” reference, meaning

“an Indian of” In Spanish, these kind of connectors signify a dependent association between baptismal candidates and their adopted parents—typically, the adoptive father. The baptism of legitimate children bore no such mark. While not conclusive, these surviving church records nonetheless provide thematic representations of how Indian captives were asymmetrically aligned relative to the existing family structure. The language used to describe these captives strongly suggests they occupied a servile and immutably alien status with the family. Our analysis of U.S. administrative materials will focus on identifying similar thematic clues: We will pay particular attention to how the head of household within each dwelling describes to the federal census-taker each family member relative to their family ancestry, ethnicity, and place of origin. Those individuals whose aforementioned characteristics distinguish them—in either subtle or dramatic fashion—from the rest of the family will merit closer scrutiny.

ANALYZING THE EVIDENCE ON CAPTIVITY IN U.S. ADMINISTRATIVE MATERIALS

Our research indicates that evidence of captivity in U.S. administrative materials exists and first began to emerge with the federal census undertaken in the Western territories in 1850. In a letter dated March 31, 1850, U.S. Indian agent John S. Calhoun reported to superiors in Washington, D.C. that there were a “number of Indian captives held as slaves in this territory [New Mexico] and that some congressional action may be necessary in relation to them” (United States Census Bureau 1850, p. 660). The 1850 federal Census of New Mexico bears out Calhoun’s reports. The following census entries represent only a very small sample taken from the federal census for two New Mexico counties: Santa Fe and Taos.

In Santa Fe County, Farmer Jose Chavez kept a six-year-old Navajo girl named Guadalupe as a servant in his home. Felipe Sena, had a twenty-eight-year-old Navajo woman named Maria Anita working as a servant in his household. Thirty-two-year-old Vincente Montoya had a ten-year-old Apache girl named Dolores in his possession. In Taos County, forty-nine-year-old Jose M. Martin had a “copper-colored” seven-year-old girl from “Indian country” working in his household. Fifty-year-old Vincent Martin had two females, thirty-year-old Catalina and nine-year-old Lolidad, both copper-colored and born in Indian country, serving him. Thirty-year-old Jose Pley had in his homestead six copper-colored people, born in Indian country, and ranging in age from thirty years old to only four years old (United States Census Bureau 1850).

In 1860, eight years before W. W. Griffin had begun his own federal investigations into Indian captivity, the U.S. Census for Santa Fe, New Mexico, evinced several domestic servants of Indian and mixed-blood ancestry working, individually and collectively, in Santa Fe homes. For instance, forty-four-year-old merchant Anastacio Sandoval had three “Payucha” Indians working as servants in his household. In La Casa de Ortiz, eighteen-year-old Jose Ortiz (Navajo) and twelve-year-old Antonio Ortiz worked as servants. In the joint household of Gaspar Ortiz y Alurid and Juan Luis Ortiz, Apache Indian Refugio Ortiz and thirty-four-year-old Luisa Medina, born in New Mexico, worked side-by-side as servants. James M. Edgan and his wife Eliza kept a thirteen-year-old girl by the name of Eugenia Trujillo as a servant in their Santa Fe home. A seven-year-old Apache girl named Guadalupe Conklin had no occupational designation at all in the household of fifty-nine-year-old farmer James Conklin (United States Census Bureau 1860).

In many instances, the head of household would euphemistically refer to captive Indians and other servants (e.g., peons) on census records as “domestic servants” (Rael-Galvez 2002). This may have been to avoid morally compromising and politically charged terms like “slave” and “captive.” In any event, baptismal registers for the Archdiocese of Santa Fe consistently list Indians being ritualistically taken into New Mexican families via christening ceremonies. For example, Jose Fialon (Indio) and Francisco (Indio Navajo) were baptized in 1863 into New Mexican households (AASF 1863). Both baptismal registers and census figures have routinely been used by historians to document the presence of captive servants within New Mexican households (Brooks 2002; Rael-Galvez 2002).

These same kinds of custodial circumstances were clearly evident to U.S. Special Agent J. K. Graves when he arrived in Santa Fe on December 30, 1865. Congress had sent Graves to evaluate the condition of Indian tribes in New Mexico. In his official report Number 40, and accompanying text Number 41, he described the pervasive harm that intense warfare and captive-taking had wreaked on Indian tribes (ARCIA 1866). Specifically, he noted how the “incessant warfare,” which included the taking of Indian captives, had cut the official number of New Mexican Indians almost in half—from 37,880 in 1846, to 19,857 in 1865 (with approximately two thousand Indians held as captives or peons) (ARCIA 1866). As previously noted, Graves estimated that probably four hundred captive Indians were being held in Santa Fe alone. Yet, the 1860 U.S. Census cited earlier, did not expressly document any such captive population (ARCIA 1866). It is not surprising that such captivities were not recorded publicly given the clandestine nature of captivity and servitude (Rael-Galvez 2002). Agent Graves further reported that captives were being sold at an average of \$75 to \$400, or being held in “practical slavery” (ARCIA 1866, pp. 131-135). He concluded that captive-taking sparked retaliatory violence by Indian tribes and that Congress should intervene to stop the practice (ARCIA 1866). Federal intervention would come to Santa Fe three years later in the form of U.S. Commissioner W. W. Griffin.

Historian David Brugge (1985) notes how additional baptisms involving Navajos also took place in 1869 and 1870. Approximately one and a half years later, there were sixty-four suspicious entries recorded in the 1870 U.S. Census for Santa Fe, New Mexico. Like the 1860 Census, most of the entries in question characterize certain persons as “domestic servants,” while others that we suspect are captive servants are referred to by occupation: shepherders, laundresses, or cooks. Interestingly, several of those so designated as servants were often categorized as White, while others were clearly earmarked as Indian. We believe that those which were characterized as White were, in fact, mixed-blood persons (e.g., Mexicans). We would argue that the way captives were represented in the conventional household structure to American federal census takers was intentionally designed to mislead their true status as servants (Rael-Galvez 2002). Rather, the identity of these servants is better understood when one considers how the labor they typically undertook within these custodial settings was of a profoundly subordinate character. The archival data that we have collected strongly suggests that captives were still in Santa Fe households even after Griffin had the opportunity to complete his liberation work.

For example, the 1870 Census lists ten-year-old Sosteno Valdez as a domestic servant in the Quintana household of precinct #3. Sixteen-year-old Guadalupe and fifteen-year-old Maria, whose birthplaces were designated as “Navajo Country,” were servants in the home of Reyes and Thiofola Gonzalez. Interestingly, twelve-year-old Juan Ilario was listed as a sheep herder, while the other Ortiz children—male and

female, both older and younger than Juan—did not have any designated occupation at all. Oftentimes, captive children were forced to work, whereas legitimate offspring were not burdened with tedious tasks like tending livestock. Conversely, Felecia and Dolores, both listed as members within the Montoya household, did not have specific occupations designated at all, yet had originated from “Ute Country.” In the aforementioned example, the head of household may have simply refused to identify the status of these two Ute women to the federal census taker. In precinct #4, an unusual entry demonstrates the diversity of the captive trade in 1870. Sixty-year-old farmer Felix Garcia had five servants working in his household: thirty-two-year-old Tomasa Ajia from Mexico; twenty-one-year-old Gertrudis from “Pahute Country”; fourteen-year-old Juana and twelve-year-olds Francisco and Cornelia—collectively, from “Navajo Country.” All of these servants were designated as Indian domestics in the Garcia household. Finally, a twenty-year-old Indian woman from “Pahute Country” was listed as a cook in the household of seventy-eight-year-old Augustin and sixty-year-old Maria Duran (United States Census Bureau 1870).

In his work on Arizona and New Mexico, historian Hubert H. Bancroft (1889) wrote how by 1867 there were few military or civilian officials, including Indian agents, that did not own captive slaves. Having read this, we were not altogether surprised to find domestic servants working in the homes of Santa Fe officials. Yet, we were bewildered to discover that Indian and Mexican servants were present in the households of those that aided or participated in federal liberation activities in 1868. For instance, twenty-seven-year-old Sefarina Sena worked as a domestic servant in the house of Santa Fe County Sheriff Jose Sena. Henry M. Davis, a United States Deputy Marshal who may have assisted Griffin, had nineteen-year-old servant Margarita Benavides in his household. Finally, and most paradoxically, forty-year-old Guadalupe Pino was taking direction in the house of W. W. Griffin as a domestic servant in 1870 (United States Census Bureau 1870). While by no means conclusive, these circumstances do seem oddly antithetical to the kind of emancipation work these men undertook mere months earlier.

Beyond the census figures, the Archdiocese of Santa Fe lists the baptism of Indians well into the 1870s, but it is unknown whether these were voluntary or involuntary conversions. However, the evidence documenting the captivity trade continued to surface. For instance, in 1872, captivity reports continued to filter into the Santa Fe office of Superintendent of Indian Affairs (New Mexico), Nathaniel Pope. In fact, Thomas Keams, Special Agent for the Navajos, wrote on September 9:

During the months of April and May about one hundred women and children returned to this reservation from the Mexican settlements, and still there are complaints received by this agency almost every day from relatives of others, who say they are kept by the citizens against their will (ARCIA 1866, p. 305).

In 1884, Indian agents were still providing passes to Navajos so they could search for children that had been taken in earlier captive-taking wars (Brugge 1985). More telling, the 1880 Census for Santa Fe contained many of the same suspicious entries found in earlier census dockets. For instance, twenty-six-year-old Dolores Gallegos, listed as an Indian, worked in the house of Candelaria Gallegos as a “domestic servant” but was designated as neither a relative nor a boarder in her relationship to Señora Gallegos, who herself was characterized as White. Twelve-year-old Jose Montoya, earmarked as Indian, was a domestic servant in the home of Francisco Montoya and his wife Dolores Montoya, who, like Señora Gallegos, was also identified as being White. Fifty-four-year-old Francisco Doravant kept a thirty-one-year-old Indian woman

named Florentina and her one-year-old son Pablo in his household as a servant and “servant child,” respectively. Mixed-blood servants also continued to be listed within the 1880 Census. Twenty-year-old Felicita Sanchez and what appears to be her eighteen-year-old sister, Librada, both born in New Mexico, worked as domestic servants in the home of forty-four-year-old grocer and merchant S. Medeles (United States Census Bureau 1880). The fact that these two women were not designated as having come from Indian country is not demonstrative because they might still have been Indians; nevertheless, they may have also been *mestiza* women that had fallen into debt servitude (i.e., peonage) to merchants like Medeles.

LIBERTY AT TWILIGHT: TRABAJANDO EN LAS SOMBRAS DE MARIA DE LA LUZ

All things considered, perhaps it was better that she did not know how close she had come to freedom. The baptismal records indicate that Maria de la Luz was eighteen years old when she was baptized into the House of Manuela Vacela in March 1869. Her captivity and servitude began barely nine months after Griffin had ended his investigations into the captivity trade in May 1868. Yet, given the short arc of federal action against the slave trade in the West, her chances for freedom might have been the same regardless of whether or not Griffin was actively investigating custodial households. Griffin’s work had symbolic as well as operational shortcomings.

First, Griffin’s work lacked an overarching strategy that made sense on a comprehensive scale. The triangulated evidence convincingly demonstrates captive servants present in the city of Santa Fe before and after Griffin had worked as a federal liberator. Further, there were those troubling 1870 Census entries evincing servants in Griffin’s own home and in the dwellings of those authorities that may have aided him. Moreover, Griffin’s investigations may have been compromised in other disturbing ways as well. In fact, his investigations might have been artificially structured in a manner that gave way to longstanding racial prejudices (Welke 2008).

The records indicate that Griffin’s investigative orbit clearly trended away from White suspects and towards Spanish-surnamed suspects instead. These populations bore the mark of exotic cultures—alien tongues and pagan rituals—that Americans like Griffin deeply abhorred. Recall that Historian Hubert H. Bancroft wrote how prevalent captive slaves were amongst military and civilian officials in 1867. Historical records support the fact that White Americans comprised a significant segment of the ruling population in New Mexico at the time. Yet, the legal docket of those that Griffin eventually arrested for unlawful servitude in the Santa Fe and Rio Arriba counties—seventy-five cases total—listed only one person with an English surname (Louis Clark) and that case was dismissed for insufficient evidence (Territorial Papers 1868). Griffin may have feared the political wrath of wealthy White families or perhaps high placed American officials. In the calculus of personal ambition and the search for lucrative opportunities, Griffin probably concluded that more inviting opportunities lay elsewhere (Montoya 2002). In doing so, Griffin compromised an important set of emerging democratic ideals grounded in constitutional values like personal liberty, even though these values were themselves mediated by the asymmetrical realities of unchecked American expansionism.

In the end, however, and perhaps most importantly, Griffin’s work suffered because it was not righteous—he worked in the twilight of liberty, somewhere between the light of freedom and the darkness of servitude, ultimately leaving many of those that had lost their liberty in the opaque obscurity of captivity.

CONCLUSION

Our analysis suggests that captive status can be identified within U.S. administrative materials like census records. Our conclusion is consistent with the work of historians and specialists of nineteenth century Southwestern history who rely on census materials and church records as barometers of captivity. Thus, because captive status can be identified, it stands to reason that approximate numbers of captives in the city of Santa Fe can also be ascertained relative to the ten year biennial census. If, after federal liberators have concluded their investigations, the number of captives indicates a sharp decline or is absent altogether, then federal liberation activities might be judged a success. However, if the number of captives remains the same or is relatively stable, then it is reasonable to conclude that federal liberation activities were not successful. Surviving census materials indicate the continued presence of captives within Santa Fe households even after federal liberators conducted their emancipation activities. In an even more ominous tone, census records suggest that captives might have even been present in the households of federal liberators themselves.

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NOTES

1. Ritualized captive-taking is a pattern or practice of taking and incorporating hostages during the course of raids or ecclesiastical ceremonies, like baptismal rites, to the degree that such taking became integral to the social dynamics of borderland cultures.
2. While nineteenth century domestic servants in the Western territories represented an eclectic mix of both detribalized Indians as well as impoverished, tribalized Mexican peons, our focus will principally be on captured Indians.
3. Laura Gomez (2007) writes, “the conflict between Mexican Americans and Euro Americans over Indian slavery represented a power struggle between colonizer and native and between dominant (Euro-American) and subordinate (Mexican American) racial groups. Mexican American elites attempted to resist American hegemony by holding onto one of their most valuable assets . . . at another level, Mexican American elites sought to maintain their honor and status, which under the Spanish and Mexican periods had been deeply connected to making raids, taking captives, and holding Indian slaves in their households” (p. 112).
4. U.S. officials used liberty deprivations as a demonstration of custodial power and as a way to force New Mexicans to internalize their own subordination relative to American colonial authorities.
5. This was particularly true for captured Indian classes that might have been characterized as “something like family” but treated nonetheless as alien (Rael-Galvez 2002). Well known cultural historians like James F. Brooks (2002) and Ramon A. Gutierrez (1991) have also used New Mexico church records in their work to identify captive status within custodial households.

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