

# *Ascents*

**A.S.C.E.N.T.S.**

A Scholarly Collection of Essays by North Texas Students

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A Scholarly Collection of Essays by North Texas Students  
Paper presentations from the University of North Texas History  
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# TO ALISON NOW WOL I TELLEN AL MY LOVE-LONGING<sup>1</sup>

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The late middle ages are defined by the extensive transformation that was taking place all across the territory of Christendom. Beginning at the turn of the century of the 1300s these changes happened with more frequency and intensity. English society especially underwent an almost 180 degree alteration during this turbulent time. The variants were events such as a significant shift in the overall climate, the onslaught of various diseases associated with the Black Death, and the incoming influences of the Italian Renaissance. Yet, these occurrences were just the opening salvo to the subsequent massive reconstruction of the English realm.

Born into these restless times were two people of exceptional value to the English social order who defied conventions and set the scene for the remainder of the middle ages. John of Gaunt, (1340-1399), has captivated historians for centuries with his wealth, influence of culture, and power and most importantly his progeny. Lady Katherine Swynford's worth however, has been summed up by most historians with an afterthought--"She was John of Gaunt's mistress and later, wife, their children..."<sup>2</sup> Why she has been overlooked and unwritten is a mystery and the woman herself is nothing less than an enigma. Yet, she stole the heart of the wealthiest man in England and not only that, but an even greater conundrum transpired, he dared to

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<sup>1</sup> Geoffrey Chaucer, "The Miller's Tale," *The Canterbury Tales*, lines 570-571, in *The Norton Anthology of English Literature*, ed. Stephen Greenblatt, 8<sup>th</sup> ed., vol. 1 (New York: W. W. Norton & Company, 2006), 251. I have chosen, where applicable, to write out primary accounts in Middle English, with the appropriate medieval spelling throughout the paper.

<sup>2</sup> As evidence I submit some of the main books that I used for this research paper. They cover extensively people closely and directly associated with Swynford but who only mention her in passing. See Terry Jones et al., *Who Murdered Chaucer?: A Medieval Mystery* (New York: Thomas Dunne Books, 2003); Steven Justice, *Writing and Rebellion: England in 1381* (Berkeley: University of California Press, 1994); Nigel Saul, *Richard II* (New Haven: Yale University Press, 1997).

marry her. It is the intention of this paper to answer the question of how this singularity of history could happen. Why Swynford's and Gaunt's relationship ended happily in marriage was primarily due to the extensive transformation that all of England underwent in the decades of the fourteenth century. These changes appeared in large part throughout all three estates of the medieval age; those who work, those who pray, and those who fought. The argument here will attempt to explain these changes to England and how they affected Swynford and Gaunt more precisely, all in the intent to show how this highly irregular marriage of two unlikely people in the Middle Ages came about. The reasons and arguments are focused on three major areas of change; the English feudal system, the culture, and the court.

The feudal system of England was the sinews which held the country together in harmony of lord to vassal and lord to king, who was the "ultimate overlord".<sup>3</sup> This meant in the early middle ages the idea of a God-anointed king was nonexistent. He was the king because he had noblemen as his vassals who would swear fealty to him. It was same in the countryside, most people lived under a lord for protection and property. Yet, by the 1310s the bonds of the feudal system were already strained for the population of England numbered approximately six million—it would not be this high again until after 1750.<sup>4</sup> People were desperate for work and most lived in dire conditions because labor was plentiful, but land was divided by lordships and it was difficult, to say the least, to move from one lord's territory to another. However, the conditions were about to be thrown on their head. In order to fully understand the changes in the feudal system during the time of Swynford and Gaunt, there are a few events that must be factored in to the equation. Beginning in the late 1200s to the early 1320s chroniclers of the time period began to notice a series of severe years in which the weather took a turn from its normal patterns. The years of "1315 and 1316 was by far the most serious episode" of particularly foul weather

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<sup>3</sup> Michael Prestwich, *Plantagenet England 1225-1360*, ed. J. M. Roberts (Oxford: Oxford University Press, 2005), 32.

<sup>4</sup> Judith M. Bennett, *A Medieval Life: Cecilia Penifader of Brigstock, c. 1295-1344* (Boston: McGraw-Hill, 1999), 65-66.

in England where the rains fell continuously damaging the crops.<sup>5</sup> Thomas Walsingham wrote that there “was a great downfall or rain which lasted from midsummer till Christmas, and this was followed by mortality in the east among the Saracens and other unbelievers...”<sup>6</sup> Historians have now identified it as the start of a major shift in the climate where all of Europe became colder.<sup>7</sup> The shift in the climate which led to crop failure and famine across England in the years before the birth of Swynford and Gaunt at least ten percent of the population had died due to malnutrition.<sup>8</sup> The next event was far worse than anyone could have imagined. On Italian merchant ships in the early 1340s rode the pestilence, Black Death. By 1348 the virulent diseases had arrived in the southern tip of England and continued through till late 1349.<sup>9</sup> Anywhere between two-fifths and one half of England’s population died in the year between 1348 and 1349.<sup>10</sup> The numbers did

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<sup>5</sup> Prestwich, *Plantagenet England*, 6.

<sup>6</sup> Walsingham, *Historia Anglicana*, vol. I, 277-278, 409, quoted in F. R. H. DuBoulay, *An Age of Ambition: English Society in the Late Middle Ages* (New York: The Viking Press, 1970), 32.

<sup>7</sup> Prestwich, *Plantagenet England*, 5.

<sup>8</sup> Judith M. Bennett and C. Warren Hollister, *Medieval Europe: A Short History*, 10th ed. (Boston: McGraw-Hill, 2006), 327.

<sup>9</sup> “Isto anno circe pascha vel modicum ante incepit pestilencia in custodia Cantebrigiense et duravit per totam esatem”. Grey Friar of Lynn, “Chronicle,” in A. Jessop, *The Coming of the Friars* (1890): 208-209, British Museum Additional MS. 47214, quoted in Antonia Gransden, *Legends, Traditions and History in Medieval England* (London: The Hambleton, Press, 1992), 283. The Black Death was made up of three different strains of diseases; “bubonic plague, which is carried by rats and spread by the fleas the rats carry and infect; pneumonic plague, which combines bubonic plague with respiratory infection and is therefore spread easily by coughing and sneezing; septicemic plague, which attacks the bloodstream and can be transmitted by fleas from one human to another”. Bennett and Hollister, *Medieval Europe*, 327. Giovanni Boccaccio in his *Decameron* stated that the disease showed itself first by “the emergence of certain tumors in the groin or armpits, some of which grew as large as an apple...black spots making their appearance in many cases on the arm or the thigh”. (Giovanni Boccaccio, *Decameron* (1358), quoted in Weir, *Mistress of the Monarchy*, 21). People who contracted the diseases “died in three days, or one, or sometimes in an hour or two, according to the form it took.” Michael Packe, *King Edward III*, ed. L. C. B. Seaman (London: Routledge & Kegan Paul, 1983), 187.

<sup>10</sup> There is some discussion between historians as to the exact number of deaths because for one many of the local courts did not keep records during the Black Death and the years that followed because the clerks died. (Bennett, *A Medieval Life*, 70). Even Parliament and the court of Common Pleas closed its doors in 1348. (*Calendar of Close Rolls, 1346-1349*, Public Record Office, (London), 613-614, quoted in W. M. Ormrod, eds., *England in the Fourteenth Century: Proceedings of the 1985 Harlaxton Symposium*



not stop there. Not only did the diseases run rampant in these years, but for decades afterwards there were always pockets of the Black Death in towns and on manors in the summertime.

When these massive amounts of people died across England a chasm was left where once all the farmers, craftsmen, and servants had once been. Where there had been a strong feudal system in England before the Black Death there was left only a remnant of people of the third estate left to labor. Henry Knighton writing over the effects of the Black Death bemoaned that “many buildings both great and small in all cities, towns, and boroughs fell into total ruin for lack of inhabitants...for all those who had dwelt in them were dead and it seemed likely that many such little villages would never again be inhabited”.<sup>11</sup> Overnight it seemed the feudal system, which the English had relied on for centuries, fell. Husbandmen, franklins, and serfs to work on the manors became a precious commodity and the price of food rose to meet the high demand when there were precious few to harvest it. Hence the “plagues produced a double effect”, on one hand the gaping chasm created greater freedoms for the labor force from their manor lords and better nutrition.<sup>12</sup> While at the same time the national conscience became more aware of the quickness of life and over time were disenchanted with the government and the Church.<sup>13</sup>

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(Dover, New Hampshire: The Boydell Press, 1986), 175. See Bennett, *A Medieval Life*; Prestwich, *Plantagenet England*; Ormrod, *England in the Fourteenth Century*; Weir, *Mistress of the Monarchy*; and Philip Ziegler, *The Black Death* (Gloucestershire: Sutton Publishing, 1969) for more information on the differences of numbers.

<sup>11</sup> Henry Knighton, *Chronicon Henrici Knighton*, J. R. Lumby, eds. (Rolls Series, 1895), II, 58, A. R. Myers, eds., *English Historical Documents (since 1327-1485)*, vol. 4 (New York: Oxford University Press, 1969), 89-91.

<sup>12</sup> DuBoulay, *An Age of Ambition*, 34. These freedoms meant less direct interference of lords and a raise in wages, as well as more inheritance of land even to women.

<sup>13</sup> There is some discussion about this. Ziegler states the Church had “diminished credit” in the eyes of the population and Prestwich gives some convincing evidence that people gave less land to the Church and did not built as many chantries after the Black Death. Valente concurs with this idea by saying “the king’s subjects followed the fortunes of war more closely, were less tolerant of defeat or ineffectual campaigns”. While Ormrod had the opposite thought; “The government was clearly capable of swift recovery and aware of the need for firm action” in the years following the outbreak of plague. However, the argument that the people had some problems with both in later years has serious weight, mainly because of the Peasant Revolt and John Wycliff which is discussed later in this paper. Ziegler, *The Black Death*, 212. Prestwich, *Plantagenet England*, 551. Claire

Towns also, were now able to request their own charter stating they “had acquired privileges as boroughs, marking them off from the feudal and manorial world outside”.<sup>14</sup> No longer under the thumb of their lords, the town wished to control themselves through the members of the guildhall.<sup>15</sup> However, with the added freedoms in the towns and the rearranging of the feudal system there began a migration of people moving from the rural areas of the manors to the towns to seek these substantial opportunities.<sup>16</sup> This inevitably led to a cultural shift from England having many small villages on various manors out in the countryside to having cities where seeds of a metropolitan culture could be seen. Therefore, in the years leading up to the birth of Gaunt and Swynford the face of the old England had been distorted and in its wake left an opening for the massive cultural shift that was about to happen as the wounds of the plagues were being covered with the new conditions and wealth in the novel economy.

As this transformation gained momentum the economy shifted even more to accommodate. People began to buy and sell products that matched a consumer market instead of a necessity market. In this consumer market the number of people who were literate and in want of a more English culture rose exponentially.<sup>17</sup> Before this migration of people into the towns higher society relied on a French cultural standard for their class; especially in the English court the language of use was French. Yet, the lower classes that were now almost en masse

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Valente, *The Theory and Practice of Revolt in Medieval England* (Burlington: Ashgate Publishing Company, 2003), 164-165. Ormrod, *England in the Fourteenth Century*, 177.

<sup>14</sup> George Holmes, *The Later Middle Ages, 1272-1485*, vol. 3, Christopher Brooke and Denis Mack Smith, eds., *A History of England* (London: Thomas Nelson and Sons, Ltd. 1962), 38-40.

<sup>15</sup> The guildhall was made up of members from the main guilds of the town. Each guild had at least a master, a journeyman, and an apprentice. The purpose of the guilds was to make sure that each branch of the guilds was adhering to the laws, creating quality products, and creating job security through a monopoly on each product. Bennett and Hollister, *Medieval Europe*, 333.

<sup>16</sup> Edward Britton, *The Community of the Vill: A Study in the History of the Family and Village Life Fourteenth Century England* (Canada: Macmillan Company, 1977), 146-147.

<sup>17</sup> Bennett and Hollister, *Medieval Europe*, 368. More and more lay people read, especially among the English, but there was also a more prevalent convention of people who would listen to readings. Therefore one reader meant a good number of informed individuals.

constructing new ways towards middle class society that had no background in French or Latin. Business therefore, began to be conducted almost solely in the English vernacular. This led to an increasing tendency of “criticism and protest—by bondmen against bondage, menials against gentry, knightly persons against aristocrats and almost everyone against an entrenched clergy”.<sup>18</sup>

The first of these numerous dissensions against the “entrenched” clergy came in the figure of an Englishman by the name of John Wyclif. Wyclif was expounded by Knighton his contemporary, to be a “most eminent theologian...second to none in philosophy and incomparable in scholastic learning”.<sup>19</sup> To that he was employed by Edward III, funded by Gaunt, and an Oxford doctor. Wyclif’s effect on the English society has been likened to the same upheaval brought to Bohemia by Jon Hus and Germany by Martin Luther.<sup>20</sup> Wyclif was a strong proponent of reform of many the doctrines the Church flaunted and to translate the Bible from clerical Latin to English, in order for the understanding of the everyday people to be brought closer to the Word of God.<sup>21</sup>

However, when he made his ideas public the response was two-fold and on opposite ends of the spectrum. The contenders were the rulers in the Church. They believed that if this was allowed to happen then the people would be liberated to believe whatever they wanted to about the Word of God and come up with innumerable heresies concerning what they thought. In addition to the fear that eventually the people would come to a point where they would no longer belong to the Church if they were self-taught and therefore the Church would lose members, hence even more money and control would be deducted from their coffers. The Church administration

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<sup>18</sup> DuBoulay, *An Age of Ambition*, 15.

<sup>19</sup> Henry Knighton, “Knighton’s Chronicle,” Martin, trans., 243-303, quoted in Jones, *Who Murdered Chaucer?*, 62.

<sup>20</sup> Holmes, *The Later Middle Ages*, 184.

<sup>21</sup> Wyclif’s main points of contention were in 1374 were the Church should rid itself of its enormous wealth and return to simplicity. Also it should maintain no monopoly on teaching the Bible; “the ultimate authority was not the church...but the Bible”. (Jones, *Who Murdered Chaucer*, 64.) Wyclif also “denied the real presence of Christ at the Eucharist” beginning in 1381. Basil Cottle, *The Triumph of the English, 1350-1400* (United States: Barnes and Noble, INC., 1969), 241.

therefore kept a close eye on him and degraded his so-called heresies at every point they could. Wyclif was even outlawed at Eton and King's College in Cambridge; the new inductees were ordered to swear that "he will not favour the opinions, condemned errors, or heresies of John Wycliffe [sic]...so long as he shall live in this world, under pain of perjury and expulsion ipso facto".<sup>22</sup> While Wyclif's patron was none other than Gaunt and he defended him to the best of his ability Gaunt's own life at time was fraught with enemies and people who spouted fallacies in his direction. On the other hand the emerging middle class and laity grasped at Wyclif's ideals and ran with them. They were thrilled with the prospect of having a version of the Bible written in English and were even more behind the strong voice speaking against the corruption they saw in the church hierarchy. However, no one, including Wyclif, had an inkling of what the rising middle class of Kent and Essex had cooking in their minds to address the issue.

Piggybacking on Wyclif's ideas, the Peasants' Revolt of 1381 was the turning point for the entire population of England. While it has been duly noted that the Black Death did not "in any strictly economic sense, cause the Peasants' Revolt...but it gave birth, in many cases, to a smoldering feeling of discontent, an inarticulate desire for change..."<sup>23</sup> Nor did Wyclif ever call for the lower classes to rise in rebellion, although the revolt did take place the same year Wyclif upped the ante in his accusations and began to fight against the medieval Church's idea on transubstantiation.<sup>24</sup> For centuries the revolt has been labeled by writers as a "slavish band possessed by utter lunacy"; an uprising of low class, illiterate citizens.<sup>25</sup> Yet, a new argument has surfaced that gives more well-rounded evidence of the Peasants' Revolt. The new idea of the uprising has been expounded in both Steven Justice's and Terry Jones' historical accounts of the time. Jones enlightens his

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<sup>22</sup> J. Heywood and T. Wright, eds., *King's College and Eton College Statutes* (1850), 96-171, quoted in G. G. Coulton, eds., *Social Life in Britain from the Conquest to the Reformation* (Cambridge: Cambridge University Press, 1919), 76.

<sup>23</sup> Ziegler, *The Black Death*, 218-219.

<sup>24</sup> George C. Homans, *English Villagers of the Thirteenth Century* (New York: Russell & Russell, 1960), 36. Although, again this does not mean that Wyclif was a supporter of the people of Kent and Essex or that he was the mastermind behind the revolt.

<sup>25</sup> John Gower, quoted in Jones, *Who Murdered Chaucer*, 69.

readers that the people involved with the revolt of 1381 were “intelligently organized and intellectually motivated...they tended towards the better-off...they attacked political targets and made great efforts to attack records of the fiscal and judicial administration...they demonstrated a lively awareness of the written word and of its power.”<sup>26</sup> The revolt transpired for many reasons the Hundred Years’ War, Wyclif’s ideas, the emerging middle class, ever-increasing taxes, and the lack of baronial leadership with the fall of the feudal society are just to name a few. Moreover, there are some very interesting points that the revolt brings to the argument of this paper.

First off the revolt showed to the English government the people were no longer the quite peasant folk who worked on the land, but they could rally together without alerting attention and demand freedoms. Also it illustrated that the middle class had been created. Before the change in the feudal system there had been three set classes: those who prayed-the clergy-, those who fought-the knightly and noble class-, and those who worked-the peasant class. However, by the revolt of 1381 there had emerged a distinctive middle class of merchants who fit none of the former classes in England. It was this class which demanded that they would follow no one, but “king Richard” and they believed in nothing, but “the true commons”.<sup>27</sup> Moreover the rebels used as a rallying cry and were propelled because of a piece of English literature, *Piers Plowman*.<sup>28</sup> This meant that in order for this piece of literature to mean anything someone had to be able to read it; which is in direct violation of the idea they were poor illiterate peasants from the

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<sup>26</sup> Jones, *Who Murdered Chaucer*, 69. For more information about the events leading up to and during the Peasants’ Revolt read Justice, *Writing and Rebellion*.

<sup>27</sup> V. H. Galbraith, eds., *The Anonimale Chronicle, 134*, in A. R. Myers, *English Historical Documents*, 131.

<sup>28</sup> *Piers Plowman* was authored by William Langland in the 1360s who was himself by experience acutely aware of the struggles of the lower classes. The allegorical poem is a social satire as well and emphasizes salvation. Yet it criticizes all the classes and does not respect convention and the established order. Francis G. James, eds., *The Pageant of Medieval England: Historical and Literary Sources to 1485* (Gretna: Pelican Publishing Company, 1975), 190-202. The main motto of the revolt, “whanne Adam dalfe and Eve span, Who was [then] a gentil man?” was based on ideas from this poem and was taken from a sermon of one of the major leader of the revolt John Ball. Walsingham, “De presbytero Johannis Balle,” *Chronicon Angliae*, 320-321, quoted in Justice, *Writing and Rebellion*, 102-103.

country. Lastly, and interestingly enough, the revolt directly affected Gaunt and Swynford. It created a great financial burden for Gaunt and forced him to publicly renounce “his liaison with Katherine Swynford...so by his tears and his expressions of grief he seemed to produce the fruits of true repentance; by these devices, so he believed, he placated the Lord’s anger”.<sup>29</sup> Also, either by intention or by happenstance the rebels destroyed Gaunt’s Savoy Palace in London.<sup>30</sup> With the quelling of the revolt by the crown’s initiative and the death of Wyclif in 1384 after he started spouting that the church in England should break completely with the pope and give all of its lands and funds away, the next phase of the cultural change in the medieval ages had to come with the occurrence of another piece of literature written by a master hand which made transparent the gargantuan shift of the fourteenth century.<sup>31</sup>

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<sup>29</sup> E. C. Lodge and R. Somerville, eds., “John of Gaunt’s Register, 1379-1383,” (Camden Society, 3<sup>rd</sup> series, 1937), II, 241 and 351, in A. R. Myers, eds., *English Historical Documents*, 143-144. Walsingham, *The St. Albans Chronicle*, 567, quoted in Lucraft, *Katherine Swynford*, 66. However, there is evidence, Lucraft argues, that this “quitclaim” was just a publicity ploy to get figures like Walsingham and Knighton off his back and for him to look good in the public eye. Lucraft, *Katherine Swynford*, 66-67.

<sup>30</sup> When the rebels entered the house they were careful to not to steal anything that belong to Gaunt because they believed that it would make them no different than the people who “stole” from them. However, somehow they came upon the armory which had massive amounts of gunpowder in it and it was ignited. The result of this direct attack allowed many of Gaunt’s enemies to speak out against his relationship with Katherine. There had always been those who believed that it was an abomination how open their relationship was. Swynford had been referred to as “an abominable temptress” by Thomas Walsingham in 1378 who condemned Gaunt for “deserting his military duties” for his mistress. Lucraft gives other authors who wrote out against Katherine such as Henry Knighton, a canon of St. Mary of the Meadows in Leicester, who was very pro-Lancastrian, but had a problem with their adultery. Plus, Jean Froissart, an accomplished writer and frequent attendee of Edward III’s court as well as native of Hainault along with Katherine, was “problematical” in his writings concerning Katherine because sometimes he was for her and sometimes against. These negative comments about Katherine’s and Gaunt’s adultery and his neglecting of responsibilities for her added another possible reason for why Gaunt’s Savoy was destroyed in 1381 by the rebels since they were trying to maintain the moral high ground during the revolt. Yet, Gaunt’s house was the only piece of property the rebels went after so it could have been intentional for they knew what they were doing. (37-39) Lucraft, *Katherine Swynford*, 57-58 and 85-86; Justice, *Writing and Rebellion*, 92-96.

<sup>31</sup> Jones, *Who Murdered Chaucer*, 78. For more information about Wyclif’s teaching see Jones, *Who Murdered Chaucer*; Cottle, *The Triumph of the English*, and Justice, *Writing and Rebellion*.

Geoffrey Chaucer and his contributions to society have been written about since the first moment he put pen to parchment. There is much that could and has been said about this genius of literature, yet his orb of inspiration did not begin there. He was born about 1342 into a well to do wine merchant. His father's class was the emerging middle class that was slowly gaining power and prestige at this period. Therefore by 1357 Chaucer was able to be employed in the household of the wife of Lionel, Duke of Clarence as a page. From there he was employed by the crown during both Edward III's and Richard II's reigns. He held in his lifetime the job of soldier in the Hundred Years War, comptroller of customs, overseer of repairs, and Justice of the Peace for Kent.<sup>32</sup> Despite, his busy life in the civil service Chaucer, also spent countless hours in the court of Richard II. He was one of the "men of letters" indirectly employed for works of literature, one of Richard II's favorite readers, and even has referred to Richard II as his "beste frend".<sup>33</sup> Accordingly his relationship with Gaunt was interesting. Gaunt was his patron, future brother-in-law, muse, and employer through different times in Chaucer's life, unlike Wyclif, Gaunt never removed his favor from Chaucer. It was in the realm of literature, that he blew off the vestige of convention and changed the face of the English language and literature forever.

Chaucer has been labeled as the "first finder of our fair language" by Thomas Hoccleve, and John Lydgate wrote that Chaucer crafted the modern condition of the English language, "Chaucer came and through his poetry first began to enlarge our language".<sup>34</sup> In addition to his command of language Chaucer molded something very interesting in his most famous work, *The Canterbury Tales*. In this masterpiece of late medieval literature Chaucer brought the Italian Renaissance to the people of England. Through his travels abroad in the employment of the crown Chaucer came in contact with the new literature emanating from men such as Dante, Petrarch, and Boccaccio

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<sup>32</sup> Nevill Coghill, trans., *The Canterbury Tales* (London: Penguin Books, 1951), xiv.

<sup>33</sup> Chaucer, "Fortune," II, lines 77-79, quoted in Jones, *Who Murdered Chaucer*, 39-46.

<sup>34</sup> Thomas Hoccleve, *Regement*, lines 1967-1974, quoted in Jones, *Who Murdered Chaucer*, 4-5. John Lydgate, *Troy Book*, vol. 3, II, lines 4541-4547, quoted in Jones, *Who Murdered Chaucer*, 4-5.

and the social changes they had infused in their works, such as humanism.<sup>35</sup> The difference between Chaucer's writing and that of contemporary medieval writers consisted of two aspects humanism and the use of the conventional medieval storyline. Most medieval stories before Chaucer included regulated plots and issues such as courtly love, morality, and chivalry. Most people whether literate or not were very familiar with these plots and knew exactly how the story was to play out. Chaucer however decided to turn these aspects on their head. His characters were a gambit of various classes, they were portrayed in reality with all their faults and graphic images, and they were not moral in the least. Not only this, but throughout the poem Chaucer makes fun of the old medieval style of poetry and its audience. He universally discounts almost every one of his characters except the poor Parson and the plowman and his brother the most common and kind hearted.<sup>36</sup> These ironies and realistic portrayals of the various classes were the epitome of humanism in literature and the work of the Renaissance on Chaucer's style.

The last sphere of alteration in the tumultuous fourteenth century was the English court. These modifications began with Edward III, 1327-1377, and came to full fruition with Richard II, 1377-1399. Richard II plays an interesting role in the fourteenth century and in the lives of Gaunt and Swynford. Some people have demonized him and his policies, while some have seen him as a man of vision who just made some wrong choices. The evidence presented here leans toward the latter. Ten year old Richard II took the throne after his grandfather, Edward III died in 1377. The court he stepped into was fraught with distrust and angst among the nobles. Try as he might, he was surrounded by men who strove to drive the country themselves for a great portion of his rein.<sup>37</sup> Gaunt was but one of the powerful men in

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<sup>35</sup> Fredrick M. Briggs, "The Miller's Tale and Decameron 3.4," *Journal of English and German Philology* 108.1 (2009): 59-80, Project Muse, (accessed March 24, 2012).

<sup>36</sup> Chaucer, *The Canterbury Tales*, lines 479-543, in Greenblatt, 230-231.

<sup>37</sup> At the beginning of his reign, Richard II was deemed to be "fully competent to govern" in his own right, even at ten. Therefore, no regent was chosen to oversee the dealings of his court or his name. Gaunt was the best candidate, but already he was too unpopular. Nevertheless, it was not the boy Richard II who was behind closed doors dealing out



the court at this time. Although throughout all of the trouble of Richard II's years Gaunt was seen as his biggest, and most powerful, of supporters.<sup>38</sup> There is an idea that at times Richard II was a learned and unconventional king, while on the other hand he made the claims that the kingship was more by divine plan than the antiquated "ultimate overlord" persona.

To the first of these assertions Richard II was the first king where there is evidence that he did not pervade his court with people who were of a certain breeding, but it was brimming with intellectual men from every class.<sup>39</sup> Most of which contributed to society and the government, such as Chaucer. To this highly intelligent group of non-landed gentry Richard II was greatly familial; he even exchanged nicknames with a few of his closest friends in this circle.<sup>40</sup> The favorite pastime entertainment of this unconventional court was readings. These readings included everything from Dante to Chaucer's latest endeavor and most of these readings were in English, which was unheard of before Richard II.<sup>41</sup> Added to this was that the reality in Richard II's court was the adjustment from the preferred vernacular of French to English was taking place.<sup>42</sup> Chaucer proclaimed Richard II as the "king that is lord of this language".<sup>43</sup> Although, interestingly enough it was in the court of Edward III that in 1363 as *The Brute*

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decrees, but a "continual council" was set up for the daily business, of which Gaunt was excluded. Saul, *Richard II*, 27-29.

<sup>38</sup> It has been stated that Gaunt's influence in the court and in Richard II's life was noted as "far away as Prussia". His reason for Prussia was because that is where Gaunt's first natural son, Henry of Bolingbroke went after Richard II exiled him from England.

Anthony Tuck, *Crown and Nobility, 1272-1461: Political Conflict in Late Medieval England* (Worcester: Billing and Sons, Ltd., 1985), 198.

<sup>39</sup> Jones, *Who Murdered Chaucer*, 53; Ormrod, *England in the Fourteenth Century*, 85.

<sup>40</sup> Jones, *Who Murdered Chaucer*, 53-54.

<sup>41</sup> Jones, *Who Murdered Chaucer*, 37-57.

<sup>42</sup> The reasons for this could be that English was Richard II's natural language. Jones, *Who Murdered Chaucer*, 36. Richard II also, according to Saul, "deserves to be seen as a patron of letters". Saul, *Richard II*, 361. Then Holmes inputs that "[society] blossomed in a profusion of original activity such as it had never known before". Holmes, *The Later Middle Ages*, 138. He even owned an English translation of the Bible, which had to come from Wyclif. For more information on all the books Richard II owned see V. J. Scattergood and J. W. Sherborne, eds., *English Court Culture in the Later Middle Ages* (New York: St. Martin's Press, 1983), 32-43.

<sup>43</sup> Chaucer, quoted in Jones, *Who Murdered Chaucer*, 37.

chronicle states it was “ordeyned in the parlement, that men of lawe, bothe of the temporall and of holy chirche lawe, fro that tyme forth shold plede in her moder tunge”, hence English.<sup>44</sup> Another fascinating side to Richard II was that for whatever reason, whether love of his uncle, Gaunt or by coercion by Gaunt, he wrote the warrant which legitimized his illegitimate cousins, the Beauforts in 1397.<sup>45</sup> Therefore, it was in his court that people were free to be intellectual, English, and to be able to rise from the throngs of middle class to employment in the court.

On the other hand Richard II held tightly to the ideal of a strong and removed kingship and the enhanced image of majesty. In this role, Richard II also played the part well. He made sure that his image as king was perfected and detached from others.<sup>46</sup> It was in this atmosphere of the court of the young Richard II tried to maintain his right to rule while at the same time trying to be a king to which everyone could relate. He barely kept the gentry in line, much less the church, which is one reason why it seemed that the country was in such an upheaval. Yet, despite his young age he did manage quite well until one of his cousins, Gaunt’s first natural son Henry of Bolingbroke decided that he had more of a right to rule. Despite his over-throw, Richard II’s rich and diverse court was extraordinary and it was a good model of the difference between his rule and that of his predecessors.

It is entirely plausible that if these events had not happened in the 1300s then Swynford and Gaunt may not have been able to be

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<sup>44</sup> *The Brut*, E. E. T. S., (1908), 315, in Coulton, *Social Life in Britain*, 28.

<sup>45</sup> Richard II, Rot. Parliament, III, 343, in A. R. Myers, *English Historical Documents*, 169. The Beauforts were the children of Swynford and Gaunt. To legitimize children of this sort was unheard of and had great ramifications in later years. Yet the Beauforts were well liked by all the true-blooded royals and through this warrant were able to be provided for and gain high status.

<sup>46</sup> Jones, *Who Murdered Chaucer*, 49-52. This idea was begun by Edward III during his rule in court because he strove to regain order after the fiasco of his father’s rule and after the devastation of the Black Death. Jones argues this very well that while Richard II sought to be a part of the popular thinking of the time of what a king should act like and looks like, it was mostly a good act from Richard II and that at least in the beginning he did not see himself as a distant figurehead. Jones goes on to say that much of what we know about Richard II later in life was a part of an extensive Lancastrian propaganda by Henry IV to make his overthrow of Richard II seem necessary and therefore the idea of a power-hungry tyrant may not hold as much weight as previously thought.

joined in marriage. Some could argue that these reasons are insufficient for evidence how the marriage took place and very few historians even tackle the issue because it is so ambiguous. Yet, Gaunt still chose to marry Swynford despite her lack of wealth, family connections, and age. From all accounts he was a “doting fool” for her and because of, or regardless of, these changes he decided to marry in the end for love.<sup>47</sup> Each of these changes that took place in the feudal system, the culture, and the courts of the trans-valuated English society contributed to the three-year marriage of Swynford and Gaunt. Whether or not the movement of the century brought Gaunt and Swynford marital bliss, it certainly modified everyone’s lives in the land of England. The climate shift, the massive deaths in the year of the pestilence, and the effects of the Black Death on the economy and countryside all worked towards removing the antiquated feudal system. While Wyclif, the Peasants’ Revolt, and Chaucer all directly lambasted the face of normal society and altered the perceptions of culture and the rights of the common people in the mid-1300s. Supplementary to all of these events and revisions of the English population was the new ideas that Edward III, and especially Richard II, brought to the mix. Yet, the most interesting part of these modifications was Gaunt had his ambition and authority in it all, with the exception of the climate and Black Death obviously, and right beside him in the shadow was Katherine Swynford.

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<sup>47</sup> Jean Froissart, quoted in Weir, *Mistress of the Monarchy*, 126.

## **BORDER SECURITY THROUGH PUBLIC RELATIONS: CICERO'S BATTLE FOR HEARTS AND MINDS IN CILICIA**

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When most historians and students think of Cicero, the last image that springs to mind is that of a grizzled war veteran, leading troops on the field of battle. This picture is inaccurate, yet Cicero did serve overseas as a military commander from late 51 through early 50. Many historians and even Cicero's contemporaries often overlook or marginalize this period of his career. His province—Cilicia—was an important area, both because of its history and its position on the border of the Parthian empire. Cicero was under no illusions as to his lack of military experience. Thus, he pursued a defensive strategy based on building support from the local population – a campaign to win the hearts and minds of Cilicians, ensuring their loyalty to Rome and their support in the case of a Parthian invasion. Cicero undertook painstaking measures in pursuit of this strategy. These measures, often seen as a self-centered attempt to aggrandize his reputation, actually demonstrated an intentional, strategic effort to secure local loyalty and support as a defense against Parthian invasion. Although these moral victories were not tested on the battlefield, Cicero's competence and success in these efforts prove him to be a more successful commander than often credited.

While Cicero's letters do indicate that he loathed his assignment, he understood its significance. Designated as a separate province in 81 or 80, Cilicia was a key military zone, due to its border with Parthia and Pontus and the fact that its inhabitants were not entirely loyal to Rome but often under the protection and control of Parthia. The area was notorious for housing pirates, yet more importantly, Cilicia was meant to serve as a staging ground for war against Mithridates. Cilicia was deemed of such importance in the seventies to deserve a governor of consular rank whose purpose was to

“strike at the soft underbelly of the Pontic empire.”<sup>48</sup> Essentially Cilicia “played the main military role among the Anatolian provinces, and was a unit primarily intended to guard the great highway from Ephesus to Syria.”<sup>49</sup> The historical strategic importance of this province could not have been lost on Cicero. Not only had Lucullus famously served there, but also Cornelius Sulla and Alexander the Great.<sup>50</sup>

Only two years before Cicero's assignment, in 53, Crassus had attempted an invasion of Parthia. The Parthians famously “cut Crassus and his legions to pieces at Carrhae.”<sup>51</sup> This remarkable defeat put the region on a dangerous threshold, not only under threat from Parthian attack, but a loss of military prestige which triggered or encouraged preexisting malcontent from local client kingdoms.<sup>52</sup> Likely Crassus' defeat also personally weighed heavily on Cicero, who had known Crassus well. That such an accomplished leader and commander as Crassus had been so thoroughly defeated likely gave the Parthians an air of invincibility. They were one of the few rivals that Rome continually struggled to subdue, perhaps lending them an almost mythical status or in any case fostering a justified sense of fear to which Cicero—fully aware of his lack of military expertise—might easily fall prey. Indeed, Cicero's letters reveal a preoccupation with obtaining accurate intelligence reports and worry of a potential invasion.<sup>53</sup>

Fear of invasion was only one side of the coin. There were also significant reasons to worry about the local population. Though Rome had held these territories for quite some time, there was still a significant amount of robbery and piracy in Cilicia, as much of the area remained “unpacified rough country.”<sup>54</sup> In addition to this was the danger of disgruntled local kingdoms and cities. As noted, Crassus'

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48 A. N. Sherwin-White, “Rome, Pamphylia and Cilicia, 133-70 B.C.,” *Journal of Roman Studies*, 66 (1976), 11.

49 Anthony J. Marshall, “Governors on the Move,” *Phoenix*, 20 (1966), 239.

50 Sherwin-White, “Rome, Pamphylia and Cilicia,” 8. Cicero points out the Alexander connection in *Att.* 5.20.

51 D.L. Stockton, *Cicero: A Political Biography* (London: Oxford University Press, 1971), 236.

52 Marshall, “Governors on the Move,” 239.

53 *Fam.* 15.1; 15.2; *Att.* 5.16.4; 5.18, 21; 6.1.14; 6.2.6; 6.3.2; 6.4.1; 6.5.3,

54 Marshall, “Governors on the Move,” 237.

defeat had garnered some dissatisfaction with Rome from the locals. Additionally, Cicero's predecessor as governor, Appius Claudius Pulcher, had indulged himself in the habit of many governors, enriching himself through financial abuses of the locals. Such depredations were likely to negatively affect local feelings.

It is difficult to determine exactly how local populations actually felt about Rome. Because any genuine resentments were "hidden by a parade of official gratitude,"<sup>55</sup> it was unclear how local populations would respond to a Parthian invasion. There was likely a strong chance that the provincials, dissatisfied with Rome, would side with the invaders, creating a dangerous military situation. However, if these people could be convinced to side with Rome, they would not only add to Cicero's forces, but might dissuade the Parthians from attacking at all. Cicero thus saw one of his main roles as that of securing the loyalty and goodwill of the local population as a defensive measure. He expressed this to Cato in September of 51, when a Parthian attack seemed imminent, saying, "I am making every effort to ensure that what we cannot secure by our military resources we shall hold safe by our gentleness and moderation and the loyalty of our allies."<sup>56</sup> This he could accomplish by winning the hearts and minds of the people in two main ways: winning emotional support through his policies as governor (mostly financial but also judicial) and by reducing the piracy and brigandage which plagued the province, primarily through military action.

The only eyewitness account of the situation in Cilicia is a potentially biased one from Cicero himself. Even allowing for this potential distortion, his description of the region upon his arrival was staggering. He tells of an "oppressed and ruined province," with "unhappy cities," made so by the numerous "wounds which [Appius] has dealt the province."<sup>57</sup> He claims that Appius' financial depredations "exhausted" the entire area, that he "put the province on a starvation

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55 J.A. Crook, Andrew Lintott, Elizabeth Rawson, *Cambridge Ancient History Volume 9: The Last Age of the Roman Republic, 146-43 B.C.*, (New York: Cambridge University Press, 1994), 596.

56 *Fam.* 15.3, trans Treggiari.

57 *Att.* 5.15, 16, 17, trans. Treggiari.

diet, bleeding it and reducing it as much as he could... hand[ing] it over to me half-dead.”<sup>58</sup>

In August of 51, Cicero began attempting to heal these wounds in an effort to secure local support. His main method was to ease Cilicia’s financial burden. In contrast to the expected corruption of other governors like Appius, Cicero took measures to stop locals from spending money and resources on him and his staff. “The unhappy cities are relieved because they don’t have to spend anything on me, my legati, my quaestor or anyone else... I don’t even take... the usual perquisites allowed by the Julian Law.” Cicero believed his actions were so gracious that “my mere arrival is bringing them back to life [because of my] justice, self-control and mercifulness... which surpass everyone’s expectation.”<sup>59</sup> Cicero took effort to ensure his beneficial policies were observed by his entire staff. Writing to Atticus, Cicero claims “I am behaving myself with such self-control that not a single penny is being spent on anyone. Credit for this is also due to the carefulness of my legates, military tribunes and prefects.”<sup>60</sup> Cicero intentionally cast himself in contrast to Appius. If Appius had been extreme in his rule of Cilicia, Cicero took the opposite extreme, going above and beyond what was necessary “to highlight the exceptional integrity of his rule through contrast with the unbridled rapacity of his predecessor.”<sup>61</sup>

On 1 September 51, Cicero received reports from independent sources that the Parthians had crossed the Euphrates River and stood poised to attack. Exhibiting sound generalship, Cicero made a concerted effort to distinguish between reliable and unreliable intelligence sources before committing to action. He was more concerned, however, that his goal of securing local loyalty was incomplete. Receiving this news, Cicero sent a report to the Senate

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58 *Att.* 6.1, trans. Treggiari.

59 *Att.* 5.16.3. trans. Treggiari.

60 *Att.* 5.17.2. trans. Treggiari. This practice undoubtedly caused frustration among his staff, who would have expected to gain financially from the journey. For this perspective, see *Catul.* 10, 28 and an account of Cicero denying funds and a position to an angered friend of Brutus in *Att.* 6.3.6-7.

61 Thomas N. Mitchell, *Cicero, the Senior Statesman* (New Haven: Yale University Press, 1991) 220.

primarily as a plea for reinforcements. Two important observations can be made from this letter. The first is that Cicero felt the local population was not yet loyal to Rome and was thus an internal security threat. As he states,

Our allies [are] far from whole-hearted and [are] wavering in expectation of a revolution... Allied auxiliaries because of the harshness and oppression of Roman rule are either so weak that they cannot help us much, or so alienated from us that it is apparent that we cannot expect anything from them or place any reliance on them.<sup>62</sup>

Clearly Cicero had little faith in the locals, finding them alienated due to Roman rule, presumably referring to Appius' governance. Secondly, this report indicates that Cicero's gentle policies were an intentional attempt to win local loyalty as a defensive measure against invasion, as he states:

I still hoped that those whom I had already visited and who had experienced my gentleness and honesty had become friendlier to the Roman people, and that Cilicia also would become more reliable if she were given a share in my justice. For this reason and to demoralise those of the Cilician race who had taken up arms, and so that the enemy should realise that the army of the Roman people, instead of falling back at the news, was advancing towards him, I started to lead my army towards the Taurus.<sup>63</sup>

Thus, his policy of clemency was purposely undertaken to gain the loyalty of the locals, a goal not yet completed. Additionally, he indicates that some Cilicians have indeed taken up arms. Thus, the threat of revolt or of local support of the Parthians was not simply a perceived threat. It was reality. Cicero verifies his strategic and defensive policies in a letter to Cato, written in December of 51. He states "you should be aware of the justice and continence with which I

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<sup>62</sup> *Fam.* 15.1.3, 5-6. trans. Treggiari.

<sup>63</sup> *Fam.* 15.1.3. trans. Treggiari.



am protecting our allies and administering the province.”<sup>64</sup> Again Cicero presents his administrative policies as essential to the province's defense.

Cicero now faced the external threat of a Parthian invasion, and the internal threat of disgruntled provincials. Thus Cicero placed his troops strategically along the Cappadocian border at Cybistra. This location allowed for the flexibility to respond to a variety of contingencies. Here he could watch over Cilicia (almost literally, as Cilicia was just outside of visual range), close enough to come to its aid. More importantly, this position secured Cappadocia, the most vulnerable entry

point. This position also served as a check against possible revolutionary actions of nearby cities and kingdoms.<sup>65</sup>

From the camp at Cybistra, Cicero sent a cavalry detachment into Cilicia with two main goals: to obtain intelligence on Parthian movements and developments in Syria, and to encourage local communities.<sup>66</sup> Cicero's hope was that the sight of his forces would encourage locals, ensuring their loyalty.<sup>67</sup> Here, Cicero again engaged in a campaign to win the loyalty of provincials, not through financial policy, but military action. This was an extension of his administrative policies, also designed to garner loyalty. Although this goal was still not completely achieved by this point, Cicero was certain that he had achieved some success. While camped at Cybistra, he tells Atticus that “We have allies much more loyal to me than they have been to anyone before: this is because they find my gentleness and self-control amazing.”<sup>68</sup> His campaign began to reap some of the intended benefits. Some locals actively supported Cicero, most notably King Deiotarus of

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64 *Fam.* 15.4.1. trans. Treggiari.

65 L.W. Hunter, “Cicero's Journey to His Province of Cilicia in 51 B.C.,” *Journal of Roman Studies*, 3 (1913), 91; *Fam.* 15.2.1-3, 15.4.4.

66 *Fam.* 15.2.1-3; 15.4.4.

67 *Fam.* 15.2.3. According to Shackleton Bailey's translation the purpose is to “strengthen morale,” of the communities. Treggiari goes further, translating Cicero's intention to “encourage the communities there.” Evelyn S. Shuckburgh's 1908 translation carries a third connotation. According to this translation, Cicero hopes that he “might confirm the loyal dispositions of all.”

68 *Att.* 5.18.2 trans. Treggiari.

Galatia, who sent his entire army to Cicero, nearly doubling his forces.<sup>69</sup>

Shortly thereafter, Cicero received intelligence reports that “great forces of Parthians and Arabs had approached the town of Antioch and that a strong body of their cavalry which had crossed into Cilicia had been decisively crushed by my cavalry squadrons and my bodyguard which was garrisoning Epiphanea.”<sup>70</sup> Cicero saw that Cappadocia was not in danger, as he previously thought. Instead, the Parthians threatened the southern entry into Cilicia via the Amanus mountains, which spurred Cicero to action. He led his troops south to Tarsus, which he reached on October 5, then east, around the corner of the Mediterranean to the Amanus. Cicero's original intention is unclear.<sup>71</sup> He possibly intended to take a defensive position and wait for the Parthians to move against him, or to take offensive action at Antioch, or to launch a coordinated operation at Antioch with Bibulus, governor of Syria. He was spared having to make such decisions in early October. He reports, “When I reached Amanus, which is split at the watershed between Bibulus and me, our friend Cassius to my great delight had successfully thrown back the enemy from Antioch and Bibulus had taken over the province.”<sup>72</sup> Gaius Cassius was a legate of Bibulus' in Syria and was acting as governor in the place of the absent Bibulus, who was late to arrive to Syria.<sup>73</sup> Cassius' offensive action removed the Parthian threat which had for so long hung over Cicero's

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69 *Fam.* 15.4.5; *Att.* 5.18.2. See also, Syme, “Observations,” 130, noting “Deiotarus the Galatian was the greatest of the vassal-kings.”

70 *Fam.* 15.4.7. trans. Treggiari.

71 Cicero's intentions here have spawned some debate. Before moving on the Amanus, Cicero expresses feeling that the forces threatening Cilicia and Syria were not Parthians but Arabs, and that Syria was now cleared of enemies, in *Fam.* 3.8.10. Magnus Wistrand, *Cicero Imperator* (Sweden: Göteborgs Offsettryckeri, 1979) 8, argues that Cicero could not have intended to aid Syrian troops, contrary to his later claim in *Fam.* 15.4.8.

Wistrand also argues that all of *Fam.* 15.4 is a purposeful misrepresentation of Cicero's military actions, being a rhetorical plea for Cato's support in seeking a triumph. While this may be true, the letter still provides helpful insight into Cicero's thinking, especially when examined alongside the other letters of the period.

72 *Fam.* 2.10.2. trans. Treggiari. This battle was later included in a military manual, Frontin. 2.5.35 which describes how Cassius laid a clever ambush and then “cut them to pieces,” trans. Charles Bennet.

73 Stock on, *Cicero*, 237.

head. He was now free to take whatever action he saw fit, and thus continued his plan to ensure local loyalty, through further military action.

While it is unclear what Cicero planned to do before he knew of Cassius' success, a clue to his thinking exists in a letter to Cato: "Since I had gone there with the idea of reinforcing either province, as necessary, I now put into effect a policy which I had already decided was to the advantage of both provinces, the pacification of the Amanus and the removal of an obstinate enemy from that mountain."<sup>74</sup> The Amanus Mountains were full of what Cicero describes on two occasions as "our perennial enemies,"<sup>75</sup> the Amaniesnses. These were hostile mountain dwelling tribes. As Shackleton Bailey notes, "the 'Free Cilicians' as they were called; [were] brigands in Highlander fashion, harbourers of runaway slaves and deserters, potential allies of a Parthian invader."<sup>76</sup> Although the main Parthian army was now dispersed, the threat of rebellion and brigandage still loomed from these mountain tribes. Pacifying them could restore stability and thus the goodwill of local populations. This campaign against the Amanus tribes was not likely an *ad hoc* affair, but premeditated. Exactly how early is uncertain, although Marshall argues that "his plan to attack the tribes was settled as early as August 3, three days after his arrival in the province."<sup>77</sup>

In this brief campaign, Cicero employed a complex strategy with reliance on surprise and counter intelligence. He captured three villages, Sepyra, Commoris, and Erana, none of which are known today.<sup>78</sup> For these successes, Cicero was given the title *imperator*, customary after such a victory.<sup>79</sup> Cicero spent the next four days

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74 *Fam.* 15.4.8. trans. Treggiari. Whether he truly intended to aid Syrian troops or not, Cassius' success "emboldened Cicero to take action," as noted in Wistrand, *Cicero Imperator*, 8.

75 *Fam.* 2.10.3 and 15.4.3.

76 D.R. Shackleton Bailey, *Cicero* (New York: Scribner, 1972), 121.

77 Marshall, "Governors on the Move," 239. Andrew Lintott, *Imperium Romanum: Politics and Administration* (New York: Routledge, 1993), 53 notes that a summer campaign was "Cicero's intention shortly before he entered Cilicia," yet does not place a specific date.

78 *Fam.* 15.4.8-9; *Att.* 5.20.3.

79 Shackleton Bailey, *Cicero*, 122.

mopping up remaining resistance and destroying farmland, making the area uninhabitable. He then began a second campaign against a specific target: the town of Pindenissum. It was, according to Cicero, “a very well-fortified town of the Free Cilicians, which has been at war as long as people remember. They are wild men and fierce fighters and well prepared with everything for defending themselves.”<sup>80</sup>

Cicero's attack on the town seems questionable and has garnered some debate among historians. Some characterize Cicero's military actions here as a simple quest for glory, common for governors of the time. Cilicia seemed a promising ground for a “triumph hunt,” as it was home to such internal threats and the two previous governors had both achieved the title of *imperator*.<sup>81</sup> Governors were also often motivated by a desire for wealth through military plunder, and the “axiom that troops should be kept busy.” Thus Cicero, having assembled a large force, “had to do something with it.”<sup>82</sup> These are all valid points that likely contributed to Cicero's motivation, with the exception of booty acquisition—Cicero gave all the loot to the soldiers, keeping none for himself.<sup>83</sup> Yet this presents a simplified view of Cicero's motivations. Cicero justifies the attack, claiming the town harbored runaway slaves and was eagerly awaiting the arrival of the Parthians. He emphasized his fear that Pindenissum would ally with Parthia. Continuing the psychological approach of his earlier administrative and military policy, Cicero wanted to make an example of the town, “so that the spirits of others who are hostile to our empire should be crushed.”<sup>84</sup> By sacking Pindenissum, known locally as a hotbed of anti-Roman sentiment, a possible seat of resistance, and a potential ally to Parthia, Cicero accomplished several goals at once. Like his attack on the Amanus tribes, Cicero was removing a potential

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80 *Att.* 5.20.5. trans. Treggiari

81 Marshall, “Governors on the Move,” 241; Ronald Syme, ed. E. Badian, “Observations of the Province of Cilicia,” *Roman Papers: 1* (Oxford: Clarendon Press, 1979), 125; Marshall, “Governors on the Move,” 241-2.

82 Lintott, *Imperium Romanum*, 53. Christopher J. Fuhrmann makes a similar point, insisting that the town “posed no major threat,” but that Cicero was simply “wishing to use his force for some purpose,” in *Policing the Roman Empire* (Oxford University Press, 2011) 181.

83 *Att.* 5.20.5.; Lacey, *Cicero*, 99.

84 *Fam.* 15.4.10, trans. Treggiari.

threat. Thus, he was not only protecting Rome but making his province safer and more secure, earning favor for Rome and further loyalty from locals. Additionally, Cicero was sending a message to other anti-Roman groups that such a stance would not be tolerated and would be met with military action. After eight weeks under siege, the city surrendered on Saturnalia, almost completely demolished and burned. He targeted a neighboring tribe, the Tebarani, who were “equally malignant and rebellious” and took hostages. Cicero then retired to Laodicea, passing command of his army to Quintus with orders to billet them in “recalcitrant villages” to ensure their cooperation.<sup>85</sup>

In letters to Cato and Atticus Cicero links his military success to his administrative policy, noting that “I completed the operation... without any inconvenience or expense to our allies.”<sup>86</sup> This juxtaposition reveals that in Cicero's thinking, both the administrative and military policies are linked. These methods became overlapping, as he undertook effort to ensure the campaign did not impose upon the locals, which “brought quick relief to the financially oppressed communities and a resurgence of hope and goodwill.”<sup>87</sup> His financial and military policies were thus designed separately and jointly to encourage loyalty to Rome and earn local support as a defense against the Parthian threat. Similar thinking reveals itself in the same letter to Atticus, where Cicero states, “you know there are such things as 'panic' and 'psychological effect'. The news of my arrival put fresh heart into Cassius, who was penned up in Antioch, and alarmed the Parthians.”<sup>88</sup> While on the surface it appears that Cicero is claiming credit for Cassius' victory, it also shows that Cicero considered his actions in terms of their psychological effects.<sup>89</sup> He thought that overt military action, and his financial policies, could serve as inspiration for provincials to remain loyal to Rome. This type of thinking was a

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85 *Fam.*15.4.10.

86 *Fam.* 15.4.10, trans. Treggiari.

87 Mitchell, *Cicero*, 220.

88 *Att.* 5.20.3. trans. Treggiari.

89 “τὰ κενὰ τοῦ πολέμου,” rendered by Treggiari as “psychological effect,” can be translated several ways. Evelyn Shuckburgh uses “the idle rumors of war.” In any case, the phrase indicates Cicero thinking of the intangible, perhaps emotional effects—in contrast to actual or physical—of his arrival on both the Parthians and Cassius.

hallmark of Cicero's approach toward all areas of his administration. Cicero's most explicit statement of his goals and methods come when reporting Cato:

I made fair and clean administration my strongest bulwark against the threat of a major war. Thus aided, I obtained results which no legions could have secured. I found our subjects thoroughly alienated and disloyal; I have made them thoroughly well-affected and reliable, winning over their minds, poised as they were in expectation of change, to a sentiment of good-will towards the old régime.<sup>90</sup>

In this revealing passage, Cicero clearly describes his intent to use beneficent administrative policy to win the hearts and minds of the local population as a defense against a Parthian war.

In the final analysis, Cicero, like most men, was not motivated by one single factor, but his time as governor was marked primarily by his defensive strategy of securing provincial loyalty. With the threat of Parthia, it was imperative that he have local support, and securing that support was a driving factor behind both his benevolent administrative policy and his military action. He was successful in these goals. In retrospect, he could rightly claim,

His restrained and benevolent regime had done more than any legions could to strengthen and maintain the security of his province by restoring to loyalty the provincials themselves, some of whom had actually revolted at the approach of the Parthians, and all of whom he had found either totally disaffected or wavering in their allegiance in anticipation of a revolution.<sup>91</sup>

Cicero may not be famed for his military commands, but he proved a successful and capable general. His lack of military experience led him to intentionally rely on a publicity campaign designed to win the hearts

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90 Fam. 15.4.14. trans. Shackleton Bailey.

91 Mitchell, *Cicero*, 228-9. See also J.A. Crook, A. W. Lintott, and Elizabeth Rawson, *Cambridge Ancient History Volume 9: The Last Age of the Roman Republic, 146-43 B.C.* (Cambridge: Cambridge University Press, 2006), 596.

and minds of locals as a defense against a foreign aggressor—a unique approach which proved incredibly successful.

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## **SOUTHERN ROOTS, WESTERN FOUNDATIONS: STEPHENS COUNTY, TEXAS, CATTLE BARONS, AND THE PECULIAR INSTITUTION**

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The general consensus concerning slavery in Stephens County is that it contributed little, as the institution barely existed there. No slaves were recorded on the 1860 census (when it was Buchanan County), and only thirty-three were listed in the county by 1864, reputedly “brought there by slaveholders who moved to the area during the conflict.”<sup>92</sup> This is not so. The slaves who were brought to Stephens County were brought there by a mostly related group of cattlemen who moved to the area together before and during the Civil War to expand their trade. During the war years, they not only paid taxes on a larger proportion of livestock, and real estate, than non-slave-owners, they also contributed greatly to cattle-driving history – during and after the war. Their stories are just one example of slavery’s adaptability as it moved across and beyond Texas.

In a challenge to Charles Ramsdell’s argument, that slavery would not have been profitable and therefore would have died out naturally once it went passed the Cross Timbers, it is significant to observe that Stephens County is approximately 150 miles west of the Eastern Cross Timbers boundary and 100 miles passed that of the Western Cross Timbers. It is also located outside of the area of study in Randolph B. Campbell and Richard G. Lowe’s, *Wealth and Power in Antebellum Texas*. Campbell and Lowe acknowledged that a number of the westernmost counties “were engaged primarily in cattle raising,” but they also stated that “antebellum Texas was by no means a ranching

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<sup>92</sup> Randolph B. Campbell, *An Empire for Slavery: The Peculiar institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1989); Randolph B. Campbell and Richard G. Lowe, *Wealth and Power in Antebellum Texas* (College Station: Texas A&M Press, 1977); John Leffler, “Stephens County,” *Handbook of Texas Online*, accessed February 6, 2013, <http://www.tshaonline.org/handbook/online/articles/hcs14>.

area.” They did not believe that the sparsely populated counties past the 98<sup>th</sup> meridian should be included in their study because the “calculations would have distorted statistical measurements and concealed more than it revealed about the Lone Star state in the 1850s.” This viewpoint is built upon the notion that counties with few slaves were of minor significance to the institution as a whole, and that the most profitable use of slaves in agriculture was in the production of a cash crop. This historical interpretation has overlooked the versatility of slavery; misinterpreted wealth by accepting that planters were the most successful slave-owners; and reduced small-slaveholding cattlemen to non-entities both on and off the frontier. It also negated the possibility that those few slaves could contribute significantly to the capitalistic enterprises of those living on the periphery, such as livestock owners.<sup>93</sup>

Much has been written about the post war cattle drives. The common perception is that, during the war years, unattended cattle roamed free in Texas, matured and reproduced at a rate that made the “ranges fairly overflowing with fine, fat cattle.” After the war, men returned home, rounded up said cattle, and drove them north to railheads and markets, where they were distributed to areas depleted of livestock during the war, or, further westward, regions that were opening up to new settlers who needed beef. It is acknowledged that a few drives were made before the war to New Orleans, some Midwestern towns - “even Chicago in one case” - and that a few daring souls drove cattle to California, despite the fact that the cattle were virtually worthless except for their tallow and hides. It is also understood that a few drives were made to locations on the Red and Mississippi Rivers, but that, after 1863, this market closed when Federal forces took control. From that point on, “cattlemen maintained their herds in the face of lost sales.”<sup>94</sup> Stephens County is a prime

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<sup>93</sup> John Leffler, “Stephens County” and “Cross Timbers,” *Handbook of Texas Online*, accessed February 9, 2013, <http://www.tshaonline.org/handbook/online/articles/ryc04>.

<sup>94</sup> Edward Everett Dale, *Cow County* (Norman: University of Oklahoma Press, 1942), 25; J. Marvin Hunter, *Trail Drivers of Texas* (2 vols., San Antonio: Jackson Printing, 1920, 1923; 4th ed., Austin: University of Texas Press, 1985); Jimmy M. Skaggs, *The Cattle-Trailing Industry: Between Supply and Demand, 1866–1890* (Lawrence: University Press

example of how the foundations of the cattle-trailing history from this region have been ignored, as slave-owning ranchers from there drove cattle to distant markets both before and after the war.

Data gathered from the tax records reveals information pertaining to the very few slave owners in Stephens County. Throughout the four years, every slave-owner recorded livestock as a part of their property. None of these slave-owners claimed more than eight slaves during the years of study. In 1861 and 1862, each owner claimed three or less slaves, whereas in 1863 and 1864, the majority was in holdings of five to nine. None of these owners attained planter status (twenty or more).<sup>95</sup>

Slave owners reported relatively small land-holdings in Stephens County. Small landowners are often overlooked in slavery studies, as their economic output is considered minimal when compared to others with large land holdings. The assessment of how much product an acre of land could produce is a guide to slaveholding success, but land ownership was not needed for grazing cattle, due to open range laws that allowed free grazing in all areas – including unfenced cotton plantations. With this in mind, it is notable that land ownership among slave-owners is disproportionately higher than non-slave-owners in Stephens County during all years except 1861. It should also be noted that during the years of study, slave-owners declared more land-ownership outside of the county than their contemporaries, despite the fact that it was not needed to practice their trade.<sup>96</sup>

These disproportionate totals in land ownership say much about the slave-owners. Frank Owsley's influential study of the plain folk, small slave-holders who were generally farmers or stock raisers,

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of Kansas, 1973); Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2008); Rudolf A. Clemen, "Cattle Trails as a Factor in the Development of Livestock Marketing," *Journal of Farm Economics* 8 (October 1926): 427-442; Campbell, *Gone to Texas*, 260, 297 (first and second quotes from 297).

<sup>95</sup> Stephens County tax records, 1861-1910 (microfilm, Willis Library, University of North Texas, Denton, Texas). Years of study are 1861-1864; Leffler, "Stephens County".

<sup>96</sup> Stephens County tax records, 1861-1864.

stated that they purchased land they preempted as a means of transitioning from stock-raising to farming, or to farm smaller plots of land to provide for their herds and families. Stephens County's slave-owners may have been using extra land to raise crops to feed their livestock; however, their actions prior to and after they arrived in Texas, show that they had no intention of becoming full-time farmers or raising cotton. It is more likely that their extra land purchases were speculation investments, rather than transitional attempts.<sup>97</sup>

At first glance, it appears that the majority of tax-paying residents of Stephens County are non-slave-owners. A closer examination of the names reveals that several people owned bondsmen in neighboring counties. Mrs. Isabella Ikard from Parker County, and J. J. Cureton and John Pollard from Palo Pinto County are a few of those people.<sup>98</sup> There are also many residents whose surnames suggest kinship to larger families that owned slaves, both inside and out of Stephens County. It cannot be said with certainty that the slaves owned by other cattlemen were benefitting other family members by working herds, which were undoubtedly mixed together on the open range, but, conversely, it cannot be said that they were not.<sup>99</sup> As Owsley observed, not only did families and friends migrate in groups, in part to work together in the new location, but often "...herdsmen settled as farmers on land which they had purchased; and they sent their livestock out on the frontier in charge of some member of the family, or allowed it to graze, along with that of neighboring farms, on the unfenced farm and government lands of the community."<sup>100</sup> The possibility that slaves belonged to other family members in neighboring counties, but were used to help tend the cattle in Stephens County, is high. When one

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<sup>97</sup> Frank Lawrence Owsley, *Plain Folk of the Old South* (Baton Rouge: Louisiana State University Press, 1949), 7-25 (quote from 25); Stephens County tax records, 1861-1864.

<sup>98</sup> Stephens County tax records, 1861-1864; Palo Pinto County tax records, 1857-1864 (microfilm, Willis Library, University of North Texas, Denton, Texas); Parker County tax records, 1856-1864 (microfilm, Willis Library, University of North Texas, Denton, Texas); Johnson County tax records, 1854-1864 (microfilm, Willis Library, University of North Texas, Denton, Texas).

<sup>99</sup> *Ibid.*

<sup>100</sup> Owsley, *Plain Folk of the Old South*, 35.

considers these extra probabilities, the perceived value of slave labor in the cattle industry changes.

One of the early Stephens County residents was John Robert Baylor. Baylor, who had fought in different Indian campaigns in multiple locations, was elected to the state legislature in 1851, and by 1855, was Indian agent for the Comanches on the Brazos Indian Reserve in Young County, Texas (just north of Stephens County). In 1857, Baylor set up one of the first cattle ranches in what was to become Stephens County.<sup>101</sup>

Baylor sold some of his cattle to George Thomas Reynolds. As a young child, Reynolds moved from Shelby County to Palo Pinto County with his parents and brother. When he was fifteen, he rode the “pony express” between Golconda (now Palo Pinto) and Weatherford, and at seventeen, he joined the Confederate Army. While he was in the army, his father moved the family to the Cantrell Ranch, in Stephens County, then around 1862, to the nearby John B. Dawson Ranch, where large cattle herds were often traded.<sup>102</sup>

When Reynolds returned to Texas, after medical discharge, he reputedly had a “wounded soldier’s bonus of \$300 in Confederate money...the sum total of his worldly possessions.”<sup>103</sup> Sometime before the end of the war, he purchased an unspecified number of cattle from Baylor, and used a “negro girl,” valued at \$1,000, as part of the payment. It is very difficult to assess when the transaction took place, as Baylor’s taxes were never reported regularly, but in 1861, he did report owning six slaves worth \$5,800 and 108 head of cattle worth

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<sup>101</sup> Jerry Thompson, “Baylor, John Robert,” *Handbook of Texas Online*, accessed February 1, 2013, <http://www.tshaonline.org/handbook/online/articles/fbaat>; Richard B. McCaslin, “On the Road to Sutherland Springs” (Unpublished manuscript, n.d., in possession of author), quote from 63.

<sup>102</sup> Reynolds brother, William D. Reynolds, was a member of the party who returned Oliver Loving’s body back to Weatherford, Texas. For more information see “Reynolds, William D.,” *Handbook of Texas Online*, accessed January 30, 2013, <http://www.tshaonline.org/handbook/online/articles/fre33>; Frances Mayhugh Holden, “Reynolds, George Thomas,” *Handbook of Texas Online*, accessed January 30, 2013, <http://www.tshaonline.org/handbook/online/articles/fre31>; H. Marvin Hunter, ed., *The Trail Drivers of Texas* (Austin: University of Texas Press, 1985), 671. See Reynolds Matthews, *Interwoven, A Pioneer Chronicle* (Austin: University of Texas Press, 1958) for more information.

<sup>103</sup> Holden, “Reynolds, George Thomas;” Matthews, *Interwoven*, 11.

\$920. In various accounts, Reynolds is credited with driving the first herd of cattle to Mexico from the northwestern area in early 1865, from which he made good profit. According to historian Glen Ely, this was an option that many cattlemen in Texas were choosing to capitalize on towards the end of the war and, even though laws were issued that required a signed pass to cross the Rio Grande, cattlemen simply paid a bribe of a dollar or two per head, and continued on to markets where they sold to anyone they could.<sup>104</sup>

While this may appear to be a seemingly insignificant story in the history of slavery and cattle, it is an example of the value of both. The transaction took place between 1863 and 1865, as that is when Reynolds was discharged. Reynolds (somehow, with limited funds) purchased a slave shortly after he left the service and traded her for \$1,000 to a man who was responsible for the capture of the Confederate Territory of Arizona. Reynolds knew the value of cattle as, by 1863, his father had a herd that had grown to 950 head, and was worth \$6,000. From this beginning, George Reynolds went on to be a highly successful rancher and, after the Civil War, owned extensive land in Texas and North Dakota. Along with his land holdings, he was also involved in the banking business in Texas and Oklahoma. He did not build his fortune with slave labor, but he started it by trading a slave for cattle.<sup>105</sup>

Most of the slave-owners had a relationship of some kind with each other. Out of the ten slave-owners in the county, six had been neighbors in Arkansas, before they moved to Texas and then, after the end of the war, they moved into the same neighborhoods in New Mexico Territory. All of these men, Joel W. Curtis, John B. Dawson,

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<sup>104</sup> Hunter, *The Trail Drivers of Texas*, 671; It was not uncommon to trade livestock for slave property. An advertisement in a May 5, 1855 advertisement in the *Texas State Gazette* read “Low for cash or likely young negro property, 400 head of gentle stock cattle; 600 head of sheep, a cross of the [S]axon and merino; 25 head of Spanish and [A]merican mares...” Ely, “Gone from Texas and Trading with the Enemy,” 18.

<sup>105</sup> Stephens County tax records, 1861-1864; Hunter, ed., *The Trail Drivers of Texas*, 671-672.



J.A. DeGraftenried, R. D. Miller, and Tom L. and W. H. Stockton, were heavily vested in the cattle trade.<sup>106</sup>

Curtis and Dawson (who were brothers-in-law) were among a group of men, women, and children who, in 1853, left Arkansas, traveled through Colorado, up to Salt Lake City, and onto California. For two years, they lived in a camp known as “Rough and Ready” (named after Zachery Taylor, under whom the town’s founder had served) in Nevada County, California, and then they returned to Arkansas in 1855. Tom Stockton, who would also become Dawson’s brother-in-law and another Stephens County resident, traveled the same route. The familiarity with the route to and from California, via Colorado, would prove to be a worthy asset.<sup>107</sup>

Dawson wrote in his autobiography that “I returned to California in the fall of 1855. I drove a herd of cattle from Arkansas to California and located at the Butte Mountains near Marysville [CA].” Dawson saw that it was better to sell to the prospectors, than to be one; as he had lived in gold-mining country for a couple of years, he had gained first-hand knowledge of the markets there. Curtis, Stockton, and his cousins Jasper DeGraftenried and Tom Miller, all accompanied Dawson on the return trip.<sup>108</sup>

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<sup>106</sup> Deloris Kay Curtis-Ward, *Pioneer Settlers of New Mexico Territory: The Journeys of a Tough and Resilient People*. (Bloomington: Author House, 2008). Curtis-Ward, used cattle records, diaries, and memoirs that primarily belonged to Curtis and Dawson, to whom she was related, to recount the early days of many of the Stephens County cattlemen. While there were a few observations of slaves who belonged to Curtis, those were scant. The other men listed in the book were not mentioned as slave-owners. The connection of the slave-owners to Curtis-Ward’s family members, and the cattlemen she mentioned in her book were made using the tax records; Stephens County tax records, 1861-1864; As already noted, Curtis and Dawson were listed on the 1860 census, but did not declare slaves until 1863.

<sup>107</sup> The general mood of Rough and Ready can be gauged in the fact that it seceded from the Union in 1850, when residents objected to a Mining-Tax. See more at <http://www.nevadacountygold.com/about/history-western-nevco/rough-a-ready>; Curtis-Ward, *Pioneer Settlers of New Mexico Territory*, 5-29, quote from 29; The 1860 Census for Buchanan County lists four children for Joel W. and Henrietta Curtis. The oldest were ten and eleven years old and were born in Arkansas, the second youngest child was eight and born in California, the youngest was three, and born in Texas. As the date on the census was July 27, this places the Curtis family in California at the end of 1852 or the beginning of 1853, and in Texas by the end of 1857 or beginning of 1858.

<sup>108</sup> Curtis-Ward, *Pioneer Settlers of New Mexico Territory*, 5-29, quote from 29; “Dawson Family Papers”, *Online Archive of California*, accessed February 20, 2013,

Sometime between 1853 and 1856, Curtis met, and became friends with, Kit Carson, Charles Goodnight, and Oliver Loving. Carson reportedly told Curtis about Young County in Texas, the new Fort Belknap, and the opportunities that existed there. Goodnight and Loving, two of the most famous cattlemen from this region, settled in Palo Pinto County in 1856. Curtis, Dawson, and the Millers moved to Stephens County, directly south of Young County, where they lived on contiguous property.<sup>109</sup>

When the Colorado Gold Rush began in 1858, Curtis, Dawson, Loving, and Goodnight saw the opportunity to profit selling beef. As they had all lived through the profitable cattle years of the California gold rush, and they were familiar with the route, it did not take them long to head north. Curtis drove 400 cattle up the now frequently traveled Dawson Trail (named after John B. Dawson) to Pikes Peak in 1859, where he sold them to Col. Francisco Chavez. After another drive, Curtis arrived in St. Louis on 19 May 1860, with approximately \$7,000 of Denver's gold dust. He and six hands had driven 700 head to Denver from Fort Belknap, and that money was just a portion of the proceeds. Although the actual distance was only 600 miles, the drive was closer to 1,200 miles as they took a longer route to avoid possible danger from Comanche and Kiowa Indians. Despite the added mileage, and the dangers, the profit was worth the risk.<sup>110</sup>

In August, 1860, shortly after Curtis returned home, Loving drove 1,000 steers up the trail to Colorado with Curtis as his guide. This was the second trip for Loving, as his first had been the spring of 1859, Curtis, however, was very familiar with the route. They went up

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<http://www.oac.cdlib.org/findaid/ark:/13030/tf3k4006bd/>; "Cattle Trails from Wyoming Tales and Trails," accessed February 10, 2013, <http://www.wyomingtalesandtrails.com/cattleaus.html>; "Dawson, Goodnight and the Great American Cattle Drives," accessed January 24, 2013, [http://www.cimarronnm.com/PDF/Dawson-Goodnight-Loving\\_History.pdf](http://www.cimarronnm.com/PDF/Dawson-Goodnight-Loving_History.pdf).

<sup>109</sup> Curtis-Ward, *Pioneer Settlers of New Mexico Territory*, 30.

<sup>110</sup> "Chávez Trail," *Historic Trails of Arizona*, accessed February 5, 2013, [http://azstateparks.com/trails/historic/trail\\_06.html](http://azstateparks.com/trails/historic/trail_06.html). Chavez established a 125 mile trail in 1864, from Winslow Arizona, to Prescott, home of Fort Whipple. ; Curtis-Ward, *Pioneer Settlers of New Mexico Territory*, 22; San Antonio Ledger and Texan, June 16, 1860; St Louis Democrat, June 5, 1860. The offer for the gold was less than what Curtis wanted (\$15.75 an ounce), so he shipped it to the mint in Philadelphia.

to the Red River (most probably through the area that became Red River Station in Montague County, as the ground there was flat and easy to cross) and into Indian Territory; then they followed the Arkansas River from below the Great Bend up to the north of Pueblo. Once in Pueblo, they set up winter camp. When the snow melted, and the cattle fattened-up, they continued on to Denver, where they sold the entire herd.<sup>111</sup>

It is not known how long Dawson, Curtis, and others trailed cattle to Denver, but Curtis witnessed the wrath of Union soldiers on a trip in the summer of 1862. Arriving not long after the March 26-28, Battle of Glorieta Pass (also known as the Gettysburg of the West), Curtis reported that “rations and rewards for Texas scalps” were being offered. In order to make his way home, “Mr. Curtis wrote himself a passport and commission to buy mules for the Federal Government.”<sup>112</sup> Dawson, like other cattlemen in the region, did not only limit himself to trading cattle with gold miners. During the war he also provided cattle to Fort Sumner, Fort Union, Fort Marcy, and Fort Bascom, and Fort Belknap in Young County.<sup>113</sup>

Charles Ramsdell argued that slavery would not persist west of the Cross Timbers. He based his argument on the notion put forth by scholars, who stressed that the most successfully, lucrative use of slaves was by maximizing profits per acre, as in plantation style agriculture. The mention of slaves in cattle-drives is scant, at best, but this does not mean they did not contribute to the success of their owner’s enterprises. Their labor was used in the many varied aspects of the business besides the drive itself. Someone had to tend to the cattle, raise the crops for the humans and stock, and participate in other

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<sup>111</sup> Curtis-Ward, *Pioneer Settlers of New Mexico Territory*, 32; Red River Station was settled in 1860 and later became the crossing for cattle as they went north up the Chisholm Trail. For more information see Brian Hart, “Red River Station, Texas,” *Handbook of Texas Online*, accessed February 23, 2013, <http://www.tshaonline.org/handbook/online/articles/hvr24>.

<sup>112</sup> *The Henkel Square Herald* [Round Top, Texas], July 1862, transcribed by Vicki Betts, accessed February 23, 2013, <http://www.txwcivilian.org/sitebuildercontent/sitebuilderfiles/july62format.pdf>.

<sup>113</sup> Deloris Kay Curtis-Ward, *Pioneer Settlers of New Mexico Territory: The Journeys of a Tough and Resilient People* (Bloomington: Author House, 2008), 20.

laborious activities; much like on cotton plantations, slaves were used for those tasks.

Stephens County is a prime example of how slave-owners did not produce a cash crop but instead adapted to the use of the land and availability of a market. By doing so, they not only blazed trails to the east, west, and north, but they lay solid foundations for the coming boom years in cattle-trailing. With less than twenty slaves, those cattle-owners actively pursued a lucrative business that required less investment in bondsmen, to produce a product that filled a primary need. With men like Joel Curtis and John Dawson, all trailing cattle from Stephens County to California, New Mexico, and Colorado, there is little doubt that the other settlers living in the region would have taken advantage of the same opportunities for profit. The large number of cattle per resident in Stephens County, and the overall growth of 492% in the cattle industry in four years, supports this theory. This is a significant increase in a period of time that is recorded as one fraught by Indian attacks, lack of frontier protection because of the Civil War, and a slight drop in population during these years.<sup>114</sup>

The statistics suggest that there was a tremendous potential for the cattle industry during the war years. As 1865 to 1870 are not included in this study, the growth of the cattle population during those years is not charted, however, by 1870, the total of 43,000 head of cattle, reflects a drop from 1864. Had the numbers kept growing, like they did in the 1860s, that total would have reached closer to 218,000. Did those numbers drop because of the era of the great cattle drives? Probably not, as stock owners generally only sold a portion of their herds in order to benefit from the natural repopulation. As Curtis, Dawson, and the rest of the family had moved to New Mexico by 1870, it appears that they not only influenced the rise of the cattle industry in Stephens County during the war years but also its decline in the years after.<sup>115</sup>

It is important to end the story about John Barkley Dawson. When he moved to New Mexico in 1869, he bought 24,000 acres from

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<sup>114</sup> Stephens County tax records, 1861-1864.

<sup>115</sup> Leffler, "Stephens County"; Stephens County tax records, 1861-1864.

the Maxwell Land Grant, where he, and his family, (Curtis, Miller, and Stockton) continued to ranch and expand their cattle operations. In 1895, Dawson sold the mineral rights to the Dawson Fuel Company, which opened a highly productive coal mine. In 1906, the Phelps Dodge Corporation purchased the Dawson Fuel Company, in order to use the coal on the railroads and for use in smelting copper in its Arizona mines.<sup>116</sup> As Dawson, and his family, had all owned slaves while developing the cattle industry in Texas, there is no reason to believe they would not have taken them to New Mexico to assist in the expansion of their cattle industry there. The history of using slaves in the mining industry leaves no reason to believe that slaves would have not been used for that purpose, along with the cattle industry, in New Mexico.

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<sup>116</sup> “Dawson, New Mexico,” accessed January 20, 2013, <http://www.sangres.com/newmexico/colfax/dawson.htm#.URhuvGfPz40>.

# HYPOCRITICAL VIEWS OF PROSTITUTION IN ANCIENT ROME

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A historical study of the practice of prostitution offers modern audiences with a unique glimpse into the past. Modern historians attempt to reconstruct the values and societal roles of ancient peoples by analyzing the sexual behavior of historical figures and their contemporaries' response to their behavior,. This method of study proves particularly helpful in the study of ancient Rome, where the practice, regulation, and public opinion of prostitution gives significant insight into the culture. A formal system for the organization of prostitutes did not exist in ancient Rome, but the regime imposed a variety of laws and social customs that reflected their disdain for both the practice and the practitioners. Prostitution thrived despite a culture-wide disapproval of the enterprise. Although the Roman people publically condemned and legally marginalized prostitutes, the profession continued despite the disgust because it provided essential social and economic benefits.

The disgraceful moral behavior of prostitutes placed them in a distinctly inferior position within Roman society. Roman law denied *infamia*, translated as "those lacking in public honor", the rights of full citizenship. Legal statues forbid prostitutes from testifying in court and permitted corporal punishment since their behavior did not represent the virtuous and responsible manner of ideal Roman citizens.<sup>117</sup> Bereft of honor, these models of degradation helped to develop the Roman system of morals through their display of undesirable behavior.<sup>118</sup>

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<sup>117</sup> Catharine Edwards, "Unspeakable Professions: Public Performance and Prostitution in Ancient Rome," in *Roman Sexualities*, ed. Judith P. Hallett and Marilyn B. Skinner (Princeton: Princeton University Press, 1997), 73-75.

<sup>118</sup> Edwards, "Unspeakable Professions," 67. Extensive studies have been conducted on prostitution in the ancient world. Many authors scrutinize prostitution in the ancient world by incorporating cultural practices throughout the Mediterranean with a specific

Others learned how to behave by avoiding the negative examples set by prostitutes.

Romans held a particularly low opinion of the behavior of prostitutes regardless of the individual circumstances of the woman in question. Even though extenuating circumstances might force a woman to prostitute herself, inhabitants of Rome still disapproved of her immoral actions. Furthermore, their disapproval extended unilaterally to all prostitutes. For example, society expected slaves, who compromised a large section of the prostitute population, to obey their masters' will. Although Romans expected slaves to perform the actions commanded by their masters, they still judged slaves for performing sexual acts conducted at the behest of their superiors. By selling their bodies, slaves forfeited all claims to sexual honor regardless of motive. Yet other segments of society could become prostitutes as well, and those who chose the vocation earned equal condemnation. Freedwomen and Romans with full-citizenship might prostitute themselves to please a patron or to earn extra money. However, financial motives did not mitigate disgust of the practice, and those who willingly sold themselves were also condemned for their moral failings.<sup>119</sup> These perceived moral failings developed from the strict behavioral expectations that existed in the complex social system of Rome.

Inhabitants of Rome looked down upon prostitutes because their behavior and the behavior of their clients deviated from the accepted social norm and contradicted expectations of ideal Roman citizenship. The wanton and indulgent behavior they exhibited undermined the social system, which allowed Rome to function by turning male thoughts away from virtuous self-restraint to a pattern of reckless self-indulgence that threatened the welfare of government.<sup>120</sup> Furthermore, prostitutes offended the Romans because they strayed from the ideal family unit. Roman society greatly relied on families and familial connections to ensure stability from generation to generation.

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emphasis on Greek and Roman culture. In this essay, I analyze Roman public policy and legislation to determine how social censure of female prostitution conflicted with the tolerance of the practice.

<sup>119</sup> Edwards, "Unspeakable Professions," 69.

<sup>120</sup> Edwards, "Unspeakable Professions," 67-68.

Prostitutes disrupted this pattern by promoting a promiscuous lifestyle independent of family obligation. Thus, Romans frowned upon the moral depravity of the sexual liberty of prostitutes. They expressed their disapproval both socially and through legislation, which did not criminalize prostitution but indirectly expressed distaste for the practice.

Two statutes instituted in 18 BCE during the reign of Augustus emphasized both Roman disapproval of prostitution and the importance of the family in society. The *lex iulia de maritandis ordinibus* and the *lex iulia de adulteriis coercendius*, collectively referred to as the *lex iulia et papia*, placed conditions on marriage but indirectly affected the actions and public perception of prostitutes.<sup>121</sup> The legislation separated unacceptable prostitutes from respectable members of society, which widened the chasm between the social elite and those of ill repute. The law did not outlaw the practice of prostitution, but primarily addressed marriage. By placing particular limitations on wedlock, the *lex iulia et papia* indirectly condemned prostitution without criminalizing the act.

The *lex iulia de maritandis ordinibus* accomplished two goals. First, the statute imposed restrictions on what classes of citizens could marry one another. The law forbade senators and their relatives from marrying freedmen, freedwomen, actors, actresses, or the children of actors.<sup>122</sup> These specifications reflect a Roman cultural desire to distinguish between, and isolate, social classes. While Senators probably would not have demeaned themselves by marrying someone of a lower social order<sup>123</sup>, the statute legally prevented them from wedding beneath their dignity. This provision of the *lex iulia de maritandis ordinibus* strengthened the separation of classes by protecting the virtue and purity of the patrician order while keeping lower-class citizens from rising to a higher social sphere. It also

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<sup>121</sup> Thomas McGinn, *Prostitution, Sexuality and the Law in Ancient Rome* (New York: Oxford University Press, 1998), 71-72.

<sup>122</sup> McGinn, *Prostitution*, 72.

<sup>123</sup> Marilyn B. Skinner, *Sexuality in Greek and Roman Culture* (Malden, MA: Blackwell, 2005), 207.



prohibited prostitutes from marrying anyone other than freedman.<sup>124</sup> Both categories of marriage restrictions demonstrate a desire to isolate classes and prevent the lower orders from mingling with and degrading their betters. The *lex iulia de maritandis ordinibus*'s second provision promoted Roman family values by penalizing unmarried women and childless couples for their infertility. Children formed an integral part of Roman society because they carried on the family name and were trained as responsible future citizens. Wealthy single females and couples who remained childless neglected Rome and their civic duty by failing to produce children born in wedlock. These two provisions reflect the strong family values of Rome which the behavior of prostitutes condemned. A female who sold sexual favors did not contribute to society by rearing a civically responsible family. Rather, she dishonored those with whom she interacted. Thus, the *lex iulia de maritandis ordinibus* sought to exclude prostitutes as marriage candidates and promote procreation by individuals deemed worthy to bear children.

The second statute of the *lex iulia et papia*, the *lex iulia de adulteriis coercendius*, detailed consequences for women found guilty of adultery, consequences which both stigmatized prostitutes and unofficially permitted them to conduct business. This seemingly contradictory situation reflects the great clash of morals that existed within Roman society. The *lex iulia de adulteriis coercendius* identified punishments for women found guilty of, and men compliant in adultery. Men who slept with married women could no longer testify in court and lost status before the law guaranteed to citizens. However, the law punished women more harshly. They could be fined, divorced, killed by their fathers, or forced to wear a toga.<sup>125</sup> All of these methods signify the weight Romans attributed to sexual purity. A woman irreparably damaged her reputation by engaging in fornication outside of marriage, and murder or divorce seemed preferable to living in public disgrace. Conscientious people wished to separate common prostitutes from *matrona*, married women, and preserve the morality of

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<sup>124</sup> McGinn, *Prostitution*, 72.

<sup>125</sup> Skinner, *Sexuality*, 206-207.

citizens<sup>126</sup>. The law's provision that required adulteresses to wear a toga equated them with prostitutes and emphasized Roman disgust of sex for hire and sex outside of marriage. Though modern scholars debate the exclusivity of the toga for women of low virtue, ancient sources reveal the toga to be a scandalous and indecent garment for a woman.<sup>127</sup> Helenius Acron, a social commentator writing circa the third century, wrote that adulteresses "lay aside the *stola* and wear the toga on account of disgrace; the toga of a prostitute is apt."<sup>128</sup> His commentary that connected toga-wearing with prostitutes and adulteress visually marked the dishonorable women by making them easily identifiable to their contemporaries. The easily distinguishable toga publicly humiliated women and earmarked as socially unacceptable. The garment served as a symbol, of which the community knew the meaning. The disgrace of unfaithful women and the extreme lengths to which the law could punish them underscores Roman concern with virtue.

Though the law stigmatized female prostitutes as undesirable women, the *lex iulia de adulteriis coercendius* incidentally benefited prostitutes by clarifying the line between the permissible and taboo. While the statue spelled out punishments for adulterous married women, it specifically exempted prostitutes from prosecution for adultery.<sup>129</sup> Prostitutes consequently became objects of sexual release for men who could face legal prosecution for defiling married women. They instead turned to women who were already morally depraved.

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<sup>126</sup> Skinner, *Sexuality*, 205.

<sup>127</sup> For further reading, see Kelly Olson, "Matrona and Whore: Clothing and Definition in Roman Antiquity," in *Prostitutes & Courtesans in the Ancient World*, ed. Christopher A. Faraone and Laura K. McClure (Madison: Wisconsin University Press, 2006), 200-201. The toga is a hotly debated topic amongst scholars of ancient Rome. Historical sources clearly indicate the toga was a scandalous garment. However, the exclusivity of the piece is debated. Existing records do not specify that prostitutes had to wear the toga. Ancient sources also record instances in which women who were not prostitutes donned the toga in an attempt to appear desirable. For a more detailed explanation, see Olson's article and the claims of Thomas McGinn in *Prostitution* (see bibliography).

<sup>128</sup> Kelly Olson, "Matrona and Whore: Clothing and Definition in Roman Antiquity," in *Prostitutes & Courtesans in the Ancient World*, ed. Christopher A. Faraone and Laura K. McClure (Madison: Wisconsin University Press, 2006), 193.

<sup>129</sup> McGinn, *Prostitution*, 156.

The law tacitly encouraged this shift by exempting prostitutes from prosecution for adultery. Society also failed to condemn men who frequented prostitutes.<sup>130</sup> Though Romans frowned upon women for selling themselves, they accepted prostitutes as an acceptable outlet for male sexual urges.<sup>131</sup> Men could make use of their slaves or freedwomen for sexual services without pay or face the social and legal repercussions associated with having intimate relations with a married woman. As a result, the *lex iulia de adulteriis coercendius* indirectly condoned the behavior of prostitutes. Though they frowned on promiscuity, Romans viewed prostitution as an acceptable sexual alternative in order to protect reputable women.<sup>132</sup> The lifestyle offended, but it prevented men from corrupting women worthy of social acceptance. Moral censure did not, however, prevent Romans from profiting from or participating in prostitution.

A tax imposed by the Emperor Caligula in 40 CE expressed Rome's willingness to benefit from prostitution and ultimately legitimized the activity as an acceptable business operation. Worded as a tax that amounted to "the gains of common prostitutes, as much as they received for one act of criminal commerce."<sup>133</sup> The phrasing of the statute treats prostitution and the commercial exchange it requires as an exchange worthy of documentation, regulation, and taxation. It did not seek to specifically target prostitutes for moral degradation; the tax included porters, lawyers, and fast food, signifying the law did not discriminate against prostitutes for moral reasons. Contrarily, prostitution produced enough revenue that legislators realized they could benefit from taking it. This piece of legislation profoundly impacted Roman perceptions of prostitutes and their role within society. Caligula's tax recognized prostitution as a viable business enterprise and through legislation tacitly condoned the practice.<sup>134</sup>

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<sup>130</sup> Sarah B. Pomeroy, *Goddesses, Whores, Wives and Slaves: Women in Classical Antiquity* (New York: Schocken, 1975), 192.

<sup>131</sup> Matthew Dillon and Lynda Garland, *Ancient Rome: From the Early Republic to the Assassination of Julius Caesar* (New York: Routledge, 2005), 382.

<sup>132</sup> McGinn, *Prostitution*, 215.

<sup>133</sup> Gaius Suetonius Tranquillus, *The Twelve Caesars*, trans. Robert Graves (London: Penguin, 2003), 335.

<sup>134</sup> McGinn, *Prostitution*, 255.

While citizens might disapprove of prostitutes, they did not look to ban their actions if said actions provided economic benefits. While Caligula's tax did not openly express a social approval of prostitution, it blatantly overlooked the practice as the state capitalized on a valuable enterprise in an attempt to raise revenue. Romans expressed unspoken approval of prostitution through their behavior in addition to their willingness to profit from prostitution.

Though Romans morally objected to the practice, prostitution was a commonplace if unsavory pastime. In a speech defending a fellow statesman, orator Cicero stated the following, indicating the socially uncouth yet widespread practice of prostitution.

All the same, if anyone thinks young men ought to be forbidden affairs even with prostitutes, he is certainly very austere (that I would not deny), but he is out of touch with our present permissive age. Indeed, he is also not in harmony with the customs of our ancestors, and the allowances which even in those times people were quite accustomed to make. For name any epoch when this was not invariably the case. When was such behaviour ever censured or forbidden? When was the permitted thing not permitted?<sup>135</sup>

His statement openly addresses the hypocritical attitude of Romans towards prostitutes. Though they frowned on the practice, Romans readily engaged in prostitution. Furthermore, archaeological evidence from the ruins of Pompeii indicated the rampant sex trade of a first century Roman city. Many historical records are lost, but the ruins of the city give modern scholars a glimpse into the profligate sex world of an ancient Roman town. While singularities unique to Pompeii might misrepresent the Roman Empire as a whole, the city provides an unparalleled look into daily life in a Roman province. Statistics indicate the booming sexual industry in Pompeii. Thirty-five known brothels

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<sup>135</sup> Marcus Tullius Cicero, *Selected Political Speeches*, trans. Michael Grant (Harmondsworth: Penguin, 1969), 221.

operated throughout the city, an astonishing number for a town with an estimated population of approximately ten thousand people.<sup>136</sup> The availability of prostitutes and brothels emphasizes Roman toleration of prostitution in spite of moral objections. Graffiti found amongst the ruins of Pompeii advertised prostitution for the price of two asses to twenty asses, a figure well within the means of a day laborer.<sup>137</sup> This extremely low fee holds great implications for the nature of prostitution and represents the accessibility of paid sex in ancient Rome. Demand and supply were both high. While the public opinion on prostitution condemned the practice, individuals continued to engage in the enterprise and funded this highly profitable industry.

Prostitutes and prostitution thrived in ancient Rome despite public censure because they provided both social and economic benefits. Legal statutes set prostitutes apart from the upper echelons of society, but that did not stop the upper class from enjoying the services of prostitutes. Though society shunned prostitutes, the women served as an outlet for men no longer able to interact sexually with married women as a result of the *lex iulia de adulteriis coercendis* and social criticism. The abundance of brothels and low cost of sex emphasized both the availability and the profusion of sex. Despite Roman moral censure, the industry allowed men to relieve sexual urges while protecting the virtue of respectable women and provided a ready source of income to the government. Official policy did not condemn prostitution, but it did not seek to halt this useful and highly profitable enterprise.

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<sup>136</sup> Thomas McGinn, "Zoning Shame in the Roman City," in *Prostitutes & Courtesans in the Ancient World*, ed. Christopher A. Faraone and Laura K. McClure (Madison: Wisconsin University Press, 2006), 169. Records of Pompeii must be extrapolated because modern historians are unclear as to the true population of prostitutes and the citizen population. However, archaeological remains suggest at least thirty-five brothels, possibly more if one counts bath houses and other areas in which sexual contact might occur. See McGinn for further reading.

<sup>137</sup> Dillon and Garland, *Ancient Rome*, 382.

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## THE LAST TREATY OF THE OSAGE PEOPLE

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Soon after his first inauguration, President Ulysses S. Grant appointed a Board of Indian Commissioners (BIC) to assist in and improve operations in the Department of the Interior's Office of Indian Affairs. These men of the "highest character and known benevolence" were to pursue a policy toward western Indians that generated "a general public sentiment in behalf of the Indians in averting a border war, promoting peace, inspiring just legislation, and opening the way for educating, civilizing, and Christianizing the Indians of this land." Negotiating the relocation of Osage Indians from their reservation in Montgomery County, Kansas to a new location in Indian Territory was included in their mission. While highlighting dramatic changes to U.S. Indian policy during the period, this paper evaluates the events leading to the Osage move in the early 1870s.<sup>138</sup>

In 1803, the Osage people living in the Missouri and Arkansas River valleys wielded near-hegemony in that region. Dangerous to neighboring Indian groups, the Osage continued with the United States a cooperative relationship developed with earlier Euro-Americans. The new alliance rarely worked in Osage favor. A growing commitment by the U.S. government to separate Indians and whites led to the Osage's move in 1825 from their long-time Missouri and Arkansas homes to land along the Neosho and Verdigris Rivers in present-day southeast Kansas. A twenty-five mile buffer between Missouri and the new

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<sup>138</sup> U.S. Department of the Interior, *Second Annual Report of the Board of Indian Commissioners*, 41<sup>st</sup> Cong., 3<sup>rd</sup> sess., 1871, Senate Executive Document 39, 11; Elsie Mitchell Rushmore, "The Indian Policy During Grant's Administration" (PhD diss., Columbia University, 1914), 15-20; John Villiers Farwell, *Some Recollections of John V. Farwell: A Brief Description of His Early Life and Business Reminiscences* (Chicago: R.R. Donnelley and Sons, 1911), *passim*. An excellent discussion of the origins and activities of the BIC appears in Robert M. Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1984), ch. 4-6.

Osage reservation seemed sufficient at the time to keep the Indians from impeding white settlement. It was not.<sup>139</sup>

Disease and war with other Indians took a great toll on the Osage after their move. The Civil War antagonized their poor condition. The one-time challenger to the “Comanche Empire” represented little more than 4,000 individuals by 1865. The Osage also found a great enemy when emigrant Indians began arriving around 1818. The Osage and Cherokee hated one another. At the outbreak of the Civil War, the Cherokee chose to side with the Confederacy. Few Osage took part. Surviving seemed sacrifice enough. The plains did not provide the bountiful game they once did and Osage crops were poor. The war diverted supplies and annuity payments. A westering tide of white settlers, too, had been encroaching on Osage land since late in the 1850s. The Cherokee also suffered during the war. Hoping to regain U.S. recognition and annuities, they withdrew from the rebel alliance in 1863, abolishing slavery there at the same time.<sup>140</sup>

In 1863, Osage leaders began asking U.S. officials to purchase their land and relocate their people to Indian Territory. A treaty signed by the Osage and negotiators September 29, 1865, handed over a large

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<sup>139</sup>U.S. Department of the Interior, *Report of the Indian Peace Commissioners*, 40<sup>th</sup> Cong., 2<sup>nd</sup> sess., 1868, House Executive Document 97, 17-23; U.S. Department of Interior, *Reference to a Treaty Now Being Negotiated with the Great and Little Osage*, 40<sup>th</sup> Cong., 2<sup>nd</sup> sess., 1868, House Executive Document 310, pt. 1, 3; Gilbert C. Din and Abraham Phineas Nasatir, *The Imperial Osages: Spanish-Indian Diplomacy in the Mississippi Valley* (Norman, OK: University of Oklahoma Press, 1983), 357-384; Willard Rollings, *The Osage: An Ethnohistorical Study of Hegemony on the Prairie-Plains* (Columbia: University of Missouri Press, 1992), 1-13, 213-287. See also, Kathleen DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent* (Philadelphia: University of Pennsylvania Press, 2007). James R Christianson, “A Study of Osage History Prior to 1876” (PhD diss., University of Kansas, 1968), 76-80; Willard Rollings, *Unaffected by the Gospel: Osage Resistance to the Christian Invasion (1673-1906): a Cultural Victory* (Albuquerque: University of New Mexico Press, 2004), 87-113; Jay H. Buckley, *William Clark: Indian Diplomat* (Norman: University of Oklahoma Press, 2008), 169-170, 152; Stephen Aron, *American Confluence: The Missouri Frontier from Borderland to Border State* (Bloomington: Indiana University Press, 2006), 215.

<sup>140</sup> Rollings, *Osage*, 236, 259-285; Din and Nasatir, *Imperial Osage*, 209-210, 221-222, 303. See also, Pekka Hämäläinen, *The Comanche Empire* (New Haven: Yale University Press, 2008) and F. Todd Smith, *The Wichita Indians: Traders of Texas and the Southern Plains, 1540-1845* (College Station, TX: Texas A&M University Press, 2000); Annie H. Abel, “The Indians in the Civil War,” *American Historical Review* 15 (January 1910): 281-296; Aaron Sheehan-Dean, *Concise Historical Atlas of the U.S. Civil War* (New York: Oxford University Press, 2009), 22; Christianson, “Osage History,” 212-216.



tract along the northern reservation boundary to the government, ordering it sold for at least \$1.25 per acre. It ceded additional land on the reserve's eastern boundary in exchange for a \$300,000 "trust." It declared the Osage's willingness to negotiate their removal. Parties exchanged counterproposals for another year-and-a-half before the Senate ratified an amended version on January 21, 1867. The agent for the Osage reported in January 1866 that 1,500 settler families had squatted on land within the Osage reserve.<sup>141</sup>

Grant receives credit for pursuing the Indian "peace policy." Earlier, President Andrew Johnson sent a "Peace Commission" to negotiate with the Indian people of the West, including the Osage. Kansas had pressed the federal government to remove all of the state's Indian inhabitants. Kansas governor Samuel J. Crawford wrote that removing the Osage "would be better for the Indians," and leave them "less exposed to contact with whites." He warned that millions of acres would remain a "barren and unproductive waste" should Indian possession continue. In April 1868, Johnson asked Commissioner of Indian Affairs Nathaniel G. Taylor and three others to "negotiate a treaty with the Great and Little Osage tribes of Indians." The commissioners gathered in May on the Osage reservation. They met first, however, with railroad officials.<sup>142</sup>

The Railroad Land Grant Act of 1863 authorized the Leavenworth, Lawrence, and Galveston Railroad (LL&G) land in Kansas. The company wanted Osage land. Some noted, however, that no plans for the LL&G took it closer than twenty miles to Osage lands. The commission hosted General Charles W. Blair, president of the Missouri, Fort Scott, and Santa Fe Railroad. Commissioners refused Blair's offer to purchase the same land offered the LL&G, despite his

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<sup>141</sup> Christianson, "Osage History," 226-227; Office of Indian Affairs (OIA), *Ratified Treaty No. 338, Documents Relating to the Negotiation of the Treaty of September 29, 1865, with the Great and Little Osage Indians*, National Archives, <http://digital.library.wisc.edu/1711.dl/History.IT1865no338> (accessed 11/8/2012). The Osage signed the original version of this treaty in August 1863.

<sup>142</sup> Christianson, "Osage History," 231-234; Interior, 1868, H. Ex. Doc. 310, pt. 1, 5, 11; OIA, *Documents Relating to the Negotiation of an Unratified Treaty of May 27, 1868, with the Osage Indians*, National Archives <http://digital.library.wisc.edu/1711.dl/History.Unrat1868no51> (accessed 11/8/2012). Some sources place the amount of Osage land in Kansas at eight million acres.

higher offer. Blair asked to make his offer directly to the Osage, but the commission rebuffed him. Blair promised “he and his friends would assist in making the treaty,” if his company were allowed to compete for the land purchase. If not, Blair warned, “he would deem it his duty to do all he could to prevent the Indians from making any treaty, and he knew he had the power and influence to do this.” The first two articles of the proposed 1868 treaty detail arrangements with the LL&G. Known as the Sturgis Treaty, after the president of the LL&G, William Sturgis, it offered the Osage lands exclusively to his company. The treaty, once signed and sent to Congress, faced immediate opposition. By mid-June, the House passed a resolution urging its investigation.<sup>143</sup>

Congress questioned the authority of the commission to offer government land for sale. Johnson asked the Senate to delay its consideration. The president supported the treaty, but his thoughts meant little to a Congress bent on his political demise. Commissioner Taylor, in his final report on the Indian bureau in November of 1868, expressed surprise at resistance to the treaty. Taylor and others found themselves defending against charges of fraud. Taylor seems genuinely committed to his work on the nation’s Indian issues. In the same report, Taylor adamantly condemned a proposal to return Indian affairs to the War Department. Taylor felt Indian affairs warranted a cabinet position. With the election of U. S. Grant, further action on the treaty simmered.<sup>144</sup>

At his inauguration, Grant effectively pledged to continue his despised predecessor’s Indian policies. Few seemed to notice. Grant appointed Jacob D. Cox, a former Union general and Governor of Ohio, as Secretary of the Interior and General Ely S. Parker, a Seneca Indian who had served as Grant’s military secretary, to head Indian Affairs. Parker was the first non-white to serve as an official in the federal executive branch. Grant determined that each of the nation’s

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<sup>143</sup> Christianson, “Osage History,” 231-234; Louis F. Burns, *A History of the Osage People* (Tuscaloosa: University of Alabama Press, 2004), 287; Interior, 1868, H. Ex. Doc. 310, pt. 1, 1, 11, pt. 2, 14, pt. 3, 5; OIA, *Documents*, 1865.

<sup>144</sup> Interior, 1868, H. Ex. Doc. 310, pt. 1, 1, pt.2, 14; Burns, *Osage People*, 287-288; Christianson, “Osage History,” 247; OIA, *Annual Report of the Commissioner of Indian Affairs, for the Year 1868* (Government Printing Office, [1868]), 20, 256-257.

major religious denominations be placed in charge of the various Indian superintendencies and agencies under Parker's supervision. The Central Superintendency, whose responsibilities included the Osage people, was assigned to the orthodox wing of the Society of Friends – the Quakers. Enoch Hoag, a respected leader in the Iowa Friends organization, was appointed Superintendent.<sup>145</sup>

Members of Grant's Board of Indian Commissioners included William Welsh of Philadelphia and John V. Farwell of Chicago, among others. Welsh resigned at the end of June and Vincent Colyer of New York replaced him. Colyer was already on assignment in the west, apparently at the direction of "General" Grant. He was returning when the commission met on November 17, 1869. Only three of the commissioners made official visits that year. Farwell, owner of a successful wholesale company, called on Indian reservation agents in California while there on business. At the meeting, Farwell expressed disillusion with the commission's objectives. Their work wasted time and money, he said, "unless active measures are at once taken to concentrate [the Indians] as tribes, and then individualize them." Farwell thought Indians unworthy of "sovereignty." He urged "large expenditures of money" to provide the Indians "permanent individual homes." Though costly, he said, it "would not be one-half the amount [of] a hostile policy."<sup>146</sup>

Meanwhile, Congress debated the Sturgis Treaty. Critics questioned whether coercion forced the Osage into agreeing to the treaty. The Osage felt pushed into agreeing to the price offered, but were ambivalent to LL&G involvement. Eventually, the LL&G gained title to the northern strip of land the Osage agreed to cede in the 1865 treaty. They paid the government \$1.25 per acre. Before losing title in 1878,

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<sup>145</sup> Joseph E. Illick, "'Some of Our Best Indians Are Friends...': Quaker Attitudes and Actions Regarding the Western Indians During the Grant Administration." *Western Historical Quarterly* 2 (July 1971): 286-287; Arthur C. Parker, *The Life of General Ely S. Parker: Last Grand Sachem of the Iroquois and General Grant's Secretary* (Buffalo, NY: Buffalo Historical Society, 1919), 150; Louis Thomas Jones, "The Quakers of Iowa," Iowa History Project, <http://iagenweb.org/history/qoi/QOIPt4Chp2.htm> (accessed 11/8/2012).

<sup>146</sup> OIA, *Annual Report of the Commissioner of Indian Affairs, for the Year 1869* (Government Printing Office, 1869), 44, 46, 68-69.

the LL&G sold some 42,000 acres of it for an average \$8.15 per acre. The Osage realized an average thirty-five cents an acre.<sup>147</sup>

The Sturgis Treaty, however, was doomed. Grant withdrew it on February 4, 1870, citing the LL&G arrangement and the prices offered the Osage. Other forces were at work. There was growing opposition in Congress to making any treaties with any Indians. The goal of the latest “peace policy” intended to restrict Indian people to sedentary activities and eliminate the “hunt,” Christianize them, and eventually assimilate them. Many white Americans, in Kansas and elsewhere, simply favored their elimination. As many as 20,000 settlers swarmed Osage lands by 1870, some welcome, most not. Congress passed the Indian Appropriations Bill in July. Sections 12 and 13, the Removal Act of 1870, dealt exclusively with the Osage. The act provided \$50,000 for the move. It provided for the sale of their reserve and ceded land. A full survey of their Kansas lands and the cost of their new land in Indian Territory were to be deducted from the proceeds.<sup>148</sup>

Farwell, Colyer, and Commissioner John D. Lang, toured the area selected for the Osage in Indian Territory later that summer. Superintendent Hoag and the agent for the Osage, Isaac T. Gibson, another Quaker from Iowa, escorted the commissioners. The group returned to Kansas and reported positively to Osage leaders. The Osage earlier looked it over for themselves. “White people are going there, same as here,” one Osage leader told them. “If you can stop that, we will hold a council to consider the matter.” The commission immediately contacted Washington. General William Tecumseh Sherman sent a letter to General John Pope, commander of the Missouri military district, on August 6. “[Y]ou had better send a cavalry force down on the line,” Sherman wrote. No settlers were to enter any part of the Indian Territory, he said, and “any trespass or intrusion must be promptly and forcibly met.” By the first week of September, the Army had squatters moving on. In a month, the Army

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<sup>147</sup> Christianson, “Osage History,” 250-255; OIA, *Report, 1869*, 7; U.S. Department of Interior, *Encroachments Upon Osage Indian Lands*, 41<sup>st</sup> Cong., 2<sup>nd</sup> sess., 1871, House Executive Document 179; Burns, *Osage People*, 287.

<sup>148</sup> Christianson, “Osage History,” 254, 265-266; OIA, *Report, 1871*, 2; Burns, *Osage People*, 317.

accomplished what Indian agents had been asking of them for a decade.<sup>149</sup>

Another issue concerned the mixed-blood Osage. By 1870, it was the “half-breeds” that had most adapted to the ways of white Americans.<sup>150</sup> The Catholic mission on the reservation boasted sixty Osage students at its school and dozens of parishioners. Nearly all of them were mixed-blood. They operated successful farms, some on land that could well bring \$12 to \$15 an acre. Commissioners attempted to address concerns and met with a committee of local residents. The citizen’s group expressed sympathy for the mixed-blood Osage and assured commissioners they would be solidly behind an equitable arrangement once the Osage agreed to removal.<sup>151</sup>

The last impediment for the Osage was the price paid to the Cherokee for the new lands. The government, since the Civil War, maintained an option on the “Cherokee Strip,” as punishment for the Cherokee’s wartime transgressions. The Cherokee resisted selling at fifty cents an acre. Eventually, the Osage paid about seventy cents an acre for about 650,000 acres. No mixed-bloods maintained their farms in Kansas and white Kansans did nothing to insure equitable transactions for them.<sup>152</sup>

A Grand Council gathered beneath a large elm tree on a scorching September day. Superintendent Hoag addressed Osage questions. The Osage voiced approval of the agreement and signed the document. Colyer met two days later with Osage returning late from the summer hunt. The late-comers wanted more time to consider the proposal. Colyer had grown impatient. “The governor and enough chiefs, headmen, and half-breeds have signed it to make it law already,” Colyer told them. “The result and validity of it is the same,

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<sup>149</sup> OIA, *Report, 1871*, 6; Farwell, *Recollections*, 180. See also, Abby (Farwell) Ferry, *Reminiscences of John V. Farwell by His Elder Daughter* (Chicago: R.F. Seymour, 1928), 206; Christianson, “Osage History,” 267; Burns, *Osage People*, 315-316; OIA, *Report, 1871*, 17-21, 74-75.

<sup>150</sup> For Osage terminology “mixed-blood” see Burns, Louis F. *Osage Indian Bands and Clans*. (Baltimore, MD: Reprinted for Clearfield Co. by Genealogical Pub. Co, 2001): 18.

<sup>151</sup> Rollings, *Gospel*, 153; OIA, *Report, 1871*, 19.

<sup>152</sup> OIA, *Report, 1871*, 20, 83-85; Christianson, “Osage History,” 282.

whether you sign it or not . . . sign it or let it alone, just as you please.”<sup>153</sup>

John V. Farwell returned from his journey disappointed. He informed his brother, Charles B. Farwell, recently elected to the House of Representatives, that irregularities, corruption, and fraud plagued the Indian bureau. He blamed the Indian Office and Secretary of Interior. Other commissioners complained, too. Farwell wrote Grant regarding his concerns. Cox’s push for civil service reform already was putting him at odds with Grant allies. Curiously, Cox’s disagreement with Grant seemed to reflect support of Farwell’s complaints. Cox hoped to eliminate patronage from the Indian services. Farwell appears to have wanted the same thing. Evidence suggests that Cox was caught up in a political struggle within the Republican Party.<sup>154</sup>

Farwell said in a biography that when Cox confronted him, he informed the Secretary that “[Cox] was accountable for the acts of his under-officers.” Cox resigned on November 1 without citing differences with Farwell. The purge of the Indian Office, however, was not complete. In December, William Welsh, the former BIC member, wrote the new Secretary of the Interior, Columbus Delano, accusing Parker “of fraud and improvidence in the conduct of Indian Affairs.” The Welsh letter appeared in newspapers and soon had the attention of Congress. Hearings on the accusations commenced on January 17, 1871.<sup>155</sup>

After nearly a month of testimony the committee “found [no] evidence of fraud or corruption on the part of the Indian Commissioner.” The report absolved Parker and the departed Cox of charges like those brought by Farwell and Welsh and gave partial blame to Congress:

With much to criticize and condemn . . . from a vicious system inherited from the past, and partly from errors of judgment in the construction of statutes . . . we have no evidence of any . . .

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<sup>153</sup> OIA, *Report, 1871*, 77-79, 82.

<sup>154</sup> Farwell, *Recollections*, 186-187; Eugene David Schmiel, “The Career of Jacob Dolson Cox, 1828-1900: Soldier, Scholar, Statesman” (PhD diss., Ohio State University, 1970), 286-287.

<sup>155</sup> Farwell, *Recollections*, 186-187; Committee on Appropriations, *Affairs in the Indian Department*, 41<sup>st</sup> Cong., 3<sup>rd</sup> sess., 1871, House Report 39, 1.

personal advantage sought or derived by the Commissioner, or anyone connected with his Bureau.<sup>156</sup>

For his own part, Parker was deeply hurt by the insinuations of the investigation and resigned in August.<sup>157</sup>

All but one BIC members resigned after meeting in February. The 1871 Indian Appropriations Act contained the provision that “hereafter no Indian nation or tribe . . . shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty.” The unratified Sturgis Treaty became among the last negotiated between Indians and government agents. Indian relations in the United States took a major shift. America’s Indian people became federal wards. Any semblance of self-determination ended.<sup>158</sup>

The legislation also reaffirmed the commitment to Osage removal. A survey error in Indian Territory hindered the move and the Cherokees continued complaining; now not just about price, but place as well. The Osage complained, too, that the land was rocky and of poor soil quality. Still, Agent Gibson commenced building an agency and hired a schoolteacher. Many Osage left on the summer hunt intending to return to their new home while others began to make their way to the not yet finally determined reservation.<sup>159</sup>

The mixed-blood Osage who remained to farm in Kansas met with harassment and continued intrusions. Although Congress and the General Land Office resolved provisions for mixed-blood land patents and citizenship claims, it came too late. Promises from local whites proved hollow. By December, more than half of the remaining mixed-bloods had been forced off their land. Gibson’s demands for military protection for the patentees went unanswered. Gibson called the land-greedy hoards “demons in human form.” By the end of 1872, nearly all

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<sup>156</sup> House, *Affairs*, 1871, 2

<sup>157</sup> Parker, *Ely S. Parker*, 159.

<sup>158</sup> Farwell, *Recollections*, 186; Burns, *Osage People*, 299.

<sup>159</sup> Burns, *Osage People*, 314-321; Christianson, “Osage History,” 265-276.

of the mixed-blood Osage had relinquished their homes, crops, and, often, all their possessions to white invaders.<sup>160</sup>

The Osage in Kansas endured more than a decade of intrusion and poverty before, during and after the Civil War. Most Osage were optimistic about their move to Indian Territory. Nevertheless, conflict among the Osage created continued controversy. Gibson's sometimes-strict Quaker doctrine did not always curry favor either. Gibson resigned in 1875, likely the victim of internal power struggles and external meddling by Cherokee provocateurs. Grant's administration was mired in scandal by then. Indian problems in Texas and on the northern Plains left many questioning his Indian policy, too. President Rutherford B. Hayes unenthusiastically continued the practice of religious group's administration on the reservations. The Quakers, however, withdrew from their commitment in 1879, frustrated by the government's lack of attention to Indian affairs.<sup>161</sup>

Despite the controversy, Osage fortunes were on the rise. Long-overdue government payments to the Osage resumed. The Osage reservation proved attractive to Texas ranchers. Grazing leases there allowed Texas stockgrowers to skirt "Texas fever" quarantines. The Osage joined other tribes in taxing transiting trail herds. By the late 1880s, the cattle business provided a growing Osage income.<sup>162</sup>

In 1895, the Osages leased mineral rights to Henry Foster who successfully located oil. By 1907, wells on Osage land produced five

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<sup>160</sup> Burns, *Osage People*, 325-330; Christianson, "Osage History," 276-285.

<sup>161</sup> U.S. Department of the Interior, *Investigation of the Osage Indian Agency*, 44<sup>th</sup> Cong., 1<sup>st</sup> sess., 1875, Senate Executive Document 6, 1-108; Illick, "Some of Our Best Indians Are Friends," *WHQ*, 292-293; Burns, *Osage People*, 311-313; Christianson, "Osage History," 295-310.

<sup>162</sup> Christianson, "Osage History," 286-291; Robert M. Burrill, "The Establishment of Ranching on the Osage Indian Reservation," *Geographical Review* 62 (October 1972): 524-54. "Texas fever" was a tick-borne disease carried by immune Texas longhorns during warmer months of the year. A map from the Department of Agriculture featured the "tick line" bisecting Texas and the Gulf southeast marking areas where cattle importation was limited, usually during the months from March to October. The tick problem was resolved in the 1890s, but quarantines against Texas cattle continued. The main fear in many cases had not been the danger from the ticks, but more likely the danger from the competition. See U.S. Department of Agriculture, *Annual Report of the Bureau of Animal Industry*, 1885, 48<sup>th</sup> Cong., 2<sup>nd</sup> Sess., 1886, House Misc. Document 36, fold-out between 274-275.



million barrels of oil per year and output was rising. By 1923, every Osage family was earning about \$65,000 a year in oil revenue. Osage resistance to severalty maintained a measure of the tribe's collectivity and proved critical to the integrity of Osage wealth. The Osage are today among the wealthiest Indian groups in America. Imagine, though, for a moment, what the Osage gave up in return.<sup>163</sup>

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<sup>163</sup> Corey Bone, "Osage Oil," *Encyclopedia of Oklahoma History & Culture* (Oklahoma Historical Society, 2007), <http://digital.library.okstate.edu/encyclopedia/entries/O/OS006.html> (accessed 12/1/2012).

# AN EASTERN SAGE ON A WESTERN PAGE: HOW CONFUCIUS FOUND HIS WAY INTO THE SERMONS AND EARLY LECTURES OF RALPH WALDO EMERSON

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## Introduction

The early 1830s marked a pivotal period in Ralph Waldo Emerson's life. In 1831, his first wife Ellen died, in 1832 he resigned his position as minister, and in 1833 Emerson traveled to Europe where he met the well-known poets Coleridge, Wordsworth, and Carlyle. In 1834, Emerson became a public lecturer, married his second wife Lydia, and his beloved brother Edward<sup>164</sup> died. This period in Emerson's life was one of transition, crisis, and liberation. It marks his intellectual break with organized religion, as well as his transformation from preacher in a pulpit to teacher in the public hall. Emerson reached beyond the boundaries of customary beliefs in science, history, literature, philosophy, and religion to expand the mind of his listeners. Oliver Wendell Holmes, one of Emerson's first biographers, refers to this time in Emerson's life, thusly: "The fair prospects with which Emerson began his life as a settled minister were too soon darkened."<sup>165</sup> It was during this period of his life that Emerson synthesized as many philosophical and spiritual ideas as possible. His journals reflect that he voraciously sought wisdom everywhere and anywhere he could, which led him to numerous unorthodox and non-traditional sources of wisdom and inspiration. In sum, Emerson's inspiration came from varied sources, such as newly printed works from France, Germany,

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<sup>164</sup> Edward Emerson spoke publicly in the early 1830s, a career that Ralph Waldo pursued full-time around the time of Edward's death. Edward expanded Ralph Waldo's early knowledge about China and Confucius, when Edward wrote a Dissertation at Harvard about China in 1824.

<sup>165</sup> Oliver Wendell Holmes, *Ralph Waldo Emerson* (Boston: Houghton Mifflin Company, 1912), 56.

and England, as well as ancient manuscripts from the East, including Hindu and Confucian works.

#### Emerson's Quest for Fellow Enthusiasts

On January 7, 1830, Emerson discovered a kindred spirit in Joseph Marie De Gérando's four volume series, *Histoire Comparée des Systèmes de Philosophie* (1822-1823). He noted in his *Journal*, "Lycurgus & Solon were alike in the dark with their contemporaries as the extent or the order of the history of those capabilities which yet their codes recognized & the common people they ruled recognized & Degerando [Joseph Marie de Gérando] recognizes, & I recognize, inevitably one & all."<sup>166</sup> Emerson linked himself with Gérando and with the classical figures Lycurgus of Sparta and Solon of Athens, visionary lawmakers for their respective cities, and noted that even though such minds "recognize" the limitations of social codes and laws they nevertheless continue to seek a way out "the dark." This passage is an example of how Emerson inverted negative concepts (like "dark") by alluding to the positive potential of the opposite that resides in the negative ("light" would be the opposite potential). Kenneth Walter Cameron's book, *Ralph Waldo Emerson's Reading*, notes that Emerson checked out Gérando's aforementioned work from the library multiple times in 1830 and 1831, which corresponds to the pages full of quotations that Emerson copied directly from Gérando's French into English in his *Journals*. On October 27, 1830, Emerson noted the following observation from Gérando's work, "First come the *Cosmogonies*. Indian, Chinese, Chaldeans, Egyptians, Phoenician, Persians, have a striking sameness in them."<sup>167</sup> He then noted, "Next come *theogonies*, fruit of these or rather their expression. For to all the great powers & changes they give a genius."<sup>168</sup> Emerson had discovered in Gérando, an eclectic mind, an explorer of ideas from around the world, as Emerson's biographer Robert Richardson notes, "Emerson came to Gérando at just the right time. In Gérando's hands

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<sup>166</sup> William H. Gilman and Alfred R. Ferguson, eds., *The Journals and Miscellaneous Notebooks of Ralph Waldo Emerson: Volume III, (1826-1832)* (Cambridge: The Belknap Press, 1963), 172.

<sup>167</sup> *Ibid.*, 362.

<sup>168</sup> *Ibid.*

philosophy was the new queen of the sciences, and replacing the cramped and arid study of theology.”<sup>169</sup> Essentially, Emerson noted a “striking sameness” in world religions, philosophies, and cosmogonies<sup>170</sup> in Gérando’s work, which Emerson felt revealed the commonality of the human desire to explain their world and their place in that world.

In that same October 27, 1830 journal entry, on the same page that Emerson noted Gérando’s passages about “cosmogonies” and “theogonies,” Emerson recorded his reading of Abel Rémusat’s translation of the Confucian work *L’Invariable milieu* (*The Doctrine of the Mean* or what Emerson calls “Invariable Medium”). Emerson noted the following in his journal:

The rule “Do as you would be done by” is found in the “Invariable Medium” of the Chinese but thrown into the 3<sup>rd</sup> paragraph of the 3<sup>rd</sup> Chap. So the Inv. Med. Begins with these promising definitions. “The order established by heaven is called *Nature* [Emerson’s italics]. What is conformed to nature is called law. The establishment of law (in the mind?) is called *instruction* [Emerson’s italics]. (<of> this “Invariable Milieu” M. Abel Rémusat has translated into French T. II des Notices des Manuscrits. 1818).<sup>171</sup>

Emerson wrote this observation from Abel Rémusat’s translation of Confucius in his journals alongside his Gérando notes. He also included pages of quotations about (and directly from) the Greek Ionian philosophers Thales, Anaximander, and Anaxagoras, as well as excerpts from Diogenes, Pythagoras, Xenophanes, Parmenides, and Heraclitus. Emerson consistently noted in his journal how all of these thinkers sought “first principles” and connections to “Nature.” Thus, by placing this passage from Confucius next to multiple quotations

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<sup>169</sup> Robert Richardson Jr., *Emerson: The Mind on Fire* (Berkeley: University of California Press, 1995), 102.

<sup>170</sup> Theories of the origin of the universe.

<sup>171</sup> Gilman and Ferguson, eds., *The Journals and Miscellaneous Notebooks of Ralph Waldo Emerson: Volume III*, 362-363.

from Greek philosophers on adjoining journal pages, Emerson physically and figuratively connected the ideas.

A month after Emerson noted these various quotations from Greek and Confucian sources, he defined such thinkers as “Enthusiasts” in a November 1830 journal entry. Emerson’s choice of the word “Enthusiasts” reflected his overall spiritual and philosophical view, since an “Enthusiast” is one who has the inspiration of God within (*en theos*). Emerson wrote, “A great deal may be learned from studying the history of Enthusiasts. They are they who have attained in different ways to this cultivation of their moral powers & so to the perception of God.”<sup>172</sup> For Emerson, the “Enthusiast” existed in all eras and cultures, because it is an innate quality of Man. He remarked, “The Enthusiast enraptured with the grandeur of his discovery imagines that whosoever would make the same must think as he has thought.”<sup>173</sup> Fundamentally, the unification of moral powers and God within the individual (as opposed to systems of external influence like government, church, and culture) reflects Emerson’s life-long promotion of the power of the individual (or the “Enthusiast”).

Six months later, in an April 4, 1831 journal entry Emerson spoke of “Great men,” a moniker which he deemed to be synonymous with “Enthusiasts.” Emerson wrote on April 4, 1831, and then delivered that concept publically three days later, which reflects how Emerson was an “Enthusiast,” rapidly feeling and intuiting synthesized ideas from readings. Emerson’s quest for wisdom from “Great men” resonates in this passage from April 4, 1831: “Great men; great thoughts have they bequeathed to the world. I will honor their institutions if only because it was theirs. Whatever relic precious has come down I won’t spit upon.”<sup>174</sup> Essentially, Emerson respected and revered the “great thoughts” of “great men” because the “institutions” they spoke about were personal, which meant that the “great thought” reflected an individual assertion (a self-profession of “enthusiasm”), not the simple reiteration of an external influence. Emerson expanded this concept in his April 7, 1831 sermon and linked the effort of “Great

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<sup>172</sup> *Ibid.*, 207.

<sup>173</sup> *Ibid.*

<sup>174</sup> *Ibid.*, 246.

men” to “enthusiasm.” He wrote, “They [Great men] are vouchers for that just observation of history that nothing great was ever achieved without enthusiasm.”<sup>175</sup> Thus, “Great” and “Enthusiasm” bespoke united concepts for Emerson and represented ideas that he espoused in many sermons, lectures, and essays from that time forward; in fact, in a sermon a year later, Emerson would publically (for the first time) align Confucius with “Great men” and “Enthusiasts.”

#### Confucius in New England

Emerson’s first public mention of Confucius occurred in a sermon delivered on May 13, 1832. In that sermon Emerson continued to develop his thematic interest with “Great men” and “Enthusiasts,” as he asserted:

Carry the goddip of your street to Rome or Japan & it would be unintelligible. But your conclusions respecting right & wrong, the laws of the mind the end of man which command your own interest at all times have an equal interest for all men that ever were on earth. Moses & Socrates & Confucius & Fenlon think the same thing. Justice love purity truth are intelligible to all men, & have a friend in the bottom of the heart of every man. <This is at once the inmost> Thus is the inmost self the universal nature of man.”<sup>176</sup>

In this passage Emerson clearly links Confucius with the company of “Moses & Socrates” and says that they all “think the same thing” because they possess “the inmost self the universal nature of man.” Additionally, Emerson echoed the aforementioned Confucian motif of “laws of the mind” that he noted in his 1830 journal entry copied from Rémusat’s translation. He wrote, “The order established by heaven is called *Nature*. What is conformed to nature is called law. The establishment of law (in the mind?) is called *instruction*.”<sup>177</sup> The 1830 Confucian quotations line up with the May 13, 1832 sermon statement,

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<sup>175</sup> Albert J. Von Frank, ed., *The Complete Sermons of Ralph Waldo Emerson, Volume 3* (Columbia: The University of Missouri Press, 1991), 139.

<sup>176</sup> Albert J. Von Frank and Wesley T. Mott, eds., *The Complete Sermons of Ralph Waldo Emerson, Volume 4* (Columbia: The University of Missouri Press, 1993), 146.

<sup>177</sup> See footnote 7.

“Justice love purity truth are intelligible to all men, & have a friend in the bottom of the heart of every man. <This is at once the inmost> Thus is the inmost self the universal nature of man.”<sup>178</sup> For Emerson, such an internal connection to “nature” and “laws” embodied the essence of the “Enthusiast,” which he addressed in the next paragraph of the sermon. Emerson stated, “It is this inmost self, this common human nature where those principles have their seat which commands my reverence. I cannot choose but honor it. It seems to me God in man.”<sup>179</sup> Hence, in Emerson’s estimation, the concept of “God in man” (the literal definition of “Enthusiasm”) articulated a fundamental understanding of “Great men” who clearly comprehended their connection to the “principles” and “laws” of “nature,” and for Emerson, the Chinese sage Confucius was an erstwhile “Enthusiast” from another era.

Emerson began his career as a public lecturer in 1833, the year after he resigned his position as minister, and he continued his discussion of “Great men,” those thinkers who Emerson felt were conscious of their connection to Nature.<sup>180</sup> In an 1834 lecture titled “On the Best Mode of Inspiring a Correct Taste in English Literature,” Emerson reiterated his opinion about “Great men” from various countries and cultures. In this lecture, Emerson advocated that the thoughts of “Great men” are all “Scripture” about “Human Nature,” as the following revealed:

The teacher may well reflect that no man can teach more than he knows, or inspire a taste which he has not himself. Therefore let him acquaint himself with these treasures; let him mark, learn, eat, and digest these books as Scriptures approved by the voice of Human Nature in several ages. They shall be sweet in the mouth and sweet in the belly. These let him read to the exclusion of the crowd of mediocre writers. Multum non multa (Aphorism of Aquinas). The Persians read

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<sup>178</sup> See footnote 12.

<sup>179</sup> Ibid.

<sup>180</sup> Nature is capitalized here as a nod to the title of Emerson’s first publication *Nature* (1836), which discusses the power of “Great men” and “Enthusiasts” to connect with Nature.

Hafiz, the Chinese Confucius, the Spaniards Cervantes. If the English should lose all but Shakespeare, Milton, and Bacon the concentrated attention given to those writers might atone for all.<sup>181</sup>

In this passage, Emerson clearly integrated his conceptualization of conjoined ages, ideas, and thinkers, which reflected a technique utilized in all of his later published essays, as Emerson borrowed heavily (often word-for-word use of passages) from his early lectures for his later written works. By 1836 and 1837 Emerson read more Confucian translations that included Joshua Marshman's *The Works of Confucius; Containing The Original Text, With a Translation*<sup>182</sup> and William Gowan's *The Phenix*, which contained sections on "The Life of Confucius" and passages from Confucius, titled "Morals of Confucius." Emerson thematically categorized the quotations he copied into his journals and consciously located Confucian, Hindu, Zoroastrian, Islamic, and Greek thinkers together with quotations from the likes of Shakespeare, Bacon, Montaigne, Plutarch, and St. Augustine. Emerson's categorization of concepts and thinkers (both literally on the page and figuratively in message) reflected the thematic nature of his public lectures and made the location of inspirational passages much easier. In sum, Emerson referenced or directly quoted Confucian passages obtained from Marshman and Gowan's works in the following lectures: 1837's "Religion," "Society," and "Ethics," 1838's "The Heart," and 1839's "Tragedy," "Duty," and "Literature."<sup>183</sup> Emerson utilized concepts and quotations from his early lectures, which included the Confucian passages and quotations, in his 1841 publication *Essays: First Series*.

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<sup>181</sup> Stephen E. Whicher and Robert E. Spiller, eds., *The Early Lectures of Ralph Waldo Emerson: Volume I, 1833-1836* (Cambridge: The Belknap Press, 1966), 212.

<sup>182</sup> Marshman's work also included a lengthy *Dissertation on the Chinese Language and Character* (character referring to the written glyphs of the Chinese language).

<sup>183</sup> To analyze or even list all of these Confucian quotations and references is beyond the scope of this project, but each has been considered in my soon to be defended dissertation: "Emerson, The American Confucius: An Exploration of Confucian Motifs in the Early Writings (1830-1843) of Ralph Waldo Emerson."



Emerson's growing affinity for spiritual beliefs and "scriptures" from outside of his traditional New England Puritan heritage earned him the derisive nickname "The Sage of Concord." Emerson took this moniker in stride because in his mind a "Sage" was a "Great man" and an "Enthusiast," the type of individual he frequently called a "wise man" in his writing (in contrast with a "foolish man"), which is reflective of a fundamental Confucian motif that Emerson applied to his lectures and essays. Over time, Emerson aligned himself with "Great men" or as he said in his lecture "Literature" (1839), "I as a man may claim and appropriate whatever of good or fair or true or strong has anywhere been exhibited, that Moses and Confucius, Montaigne and Voltaire are not so much individuals as they are parts of man and parts of me."<sup>184</sup> Emerson, without question, likened himself to "Great men," "wise men," and "Enthusiasts," not because he thought he was superior, but because he was human and he believed that all humans shared one unified spiritual connection with Nature. Emerson punctuated this view in his March 2, 1837 lecture "The Individual" without any qualification. He stated, "Give me one man, and uncover for me his pleasures and pains, --let me minutely and in the timbers and groundplan, study his architecture, and you will travel all around the world and visit the Chinese, the Malay, the Esquimaux, the Arab."<sup>185</sup> Essentially, Emerson saw all people(s) as potentially the same, provided they transcended their preconceived cultural beliefs, customs, and creeds and connected to a greater spirit of humanity. Hence, after his career as a preacher ended, Emerson became a teacher, akin to Confucius, Socrates, and Jesus, and professed the ability of the individual to correspond with higher powers without any intermediary influences. In fact, Emerson quoted and noted the importance of Confucius until as late as his 1875 publication *Letters and Social Aims*, where the Sage of Concord reflectively noted the following in the essay "Quotation and Originality." He wrote, "What divines had assumed as the distinctive revelations of Christianity, theologic criticism has

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<sup>184</sup> Robert E. Spiller and Wallace E. Williams, eds., *The Early Lectures of Ralph Waldo Emerson: Volume III, 1838-1842* (Cambridge: The Belknap Press, 1972), 224.

<sup>185</sup> Stephen E. Whicher, et al, eds., *The Early Lectures of Ralph Waldo Emerson: Volume II, 1836-1838* (Cambridge: The Belknap Press, 1964), 178-179.

matched by exact parallelism from the Stoics and poets of Greece and Rome. Later, when Confucius and the Indian Scriptures were made known, no claim to monopoly of ethical wisdom could be thought of..."<sup>186</sup> Thus, from 1830 to 1875, Emerson read and referenced Confucius as a "Great man" and "Enthusiast," one of many "wise men" that spiritually, philosophically, and ethically influenced the vast majority of the Sage of Concord's life and writing career.

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<sup>186</sup> Ralph Waldo Emerson, "Quotation and Originality," in *Letters and Social Aims* (Boston: Houghton, Mifflin and Company, 1904), 182.

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## **CASSOCKS AND OVERALLS: THE BUILDING OF AFRICAN AMERICAN CATHOLIC INSTITUTIONS IN EAST AUSTIN, TEXAS, 1928-1941**

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With the segregation and formation of East Austin in 1928, African Americans were forced to live in an area with no municipal facilities, medical centers, or formal education for primary age children. African American churches were perhaps, the only well established institutions in East Austin. However, living within the sound Baptist and Methodist congregations were a few African American Catholics who did not have a place of their own to worship. These three African American Catholic families, along with Father Francis R. Weber, would begin the Holy Cross institutions that shaped, nurtured, and inspired a large portion of the East Austin community.

The Catholic Church cannot establish itself within a community such as the Baptist and Methodist congregations can. Catholic churches need a representative to guide them in the catechisms and the Eucharist. There are certain rules on marriage, last rites and other church related missives that need to be followed faithfully. The Catholic Church trains its priests to administer these regulations to their parishioners. Therefore, the African American Catholics in East Austin could not establish a church of their own. They then used the two existing ones in the community. When Father Weber arrived from Notre Dame, the three African American Catholic families approached him and helped him build the Holy Cross Parish. Two other Holy Cross institutions followed; a hospital and a school, which fostered a cultural connection that advanced and strengthened East Austin residents.

Three Catholic institutions built specifically for African Americans in East Austin were the Holy Cross Parish, the Holy Cross Parish School, and the Holy Cross Hospital. These parochial institutions, specifically the hospital, became essential components to

the East Austin community. Despite Austin's local government which geared itself towards oppressing the African American race, the Catholic Church provided alternative resources, such as their school and hospital, to offset the oppressiveness. Resourceful, committed families and clergy used these Catholic resources to provide a quality education, spiritual uplift, and medical care for the community.<sup>187</sup> This essay will examine how and why the City of Austin created East Austin in 1928. In addition, this essay will illustrate the transformation of East Austin showing the communities prior and after 1928. It will also assess what churches, schools, and medical facilities that did or did not serve the East Austin community. This study also will verify that without the elite, civic minded African American Catholic families already in existence by the time Father Weber arrived, the Holy Cross institutions may have not come to fruition. Finally, this essay will examine the Holy Cross institutions that were built, and the impact these institutions had on the community.

African American Catholic parishes are not new to the Catholic Church. Discussion of implementing missions or parishes dates back to 1833 at the Second Provincial Council. The implementation of parishes for African Americans in Texas was in itself a grass roots type movement that began with local bishops. Beginning in 1886, the Holy Rosary Parish and school in Galveston was the first to be constructed within the State by the Right Reverend Bishop Nicholas Gallagher of the Diocese of Galveston who himself was a Holy Cross Brother.<sup>188</sup> St. Nicholas, in Houston's Third Ward, followed in 1887, also built under Bishop Gallagher.<sup>189</sup> St. Peter's Claver in San Antonio opened in 1888, under the Right Reverend Bishop Jean Claude Neraz of the Diocese of San Antonio.<sup>190</sup> The

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<sup>187</sup> Jacqueline Jordan Irvine and Michèle Foster, *Growing Up African American in Catholic Schools* (New York: Teachers College Press, 1996), 93-94.

<sup>188</sup> Mary H. Ogilvie, "Gallagher, Nicholas Aloysius," *Handbook of Texas—TSHA*, <http://www.tshaonline.org/handbook/online/articles/fga07>, (accessed November 19, 2011).

<sup>189</sup> Ibid.

<sup>190</sup> Mary H. Ogilvie, "Neraz, Jean Claude," *Handbook of Texas—TSHA*, <http://www.tshaonline.org/handbook/online/articles/fne16>, (accessed November 19, 2011).

Sisters Institute at St. Peter's Church in Dallas followed in 1908, opening under the Right Reverend Bishop Edward Joseph Dunne.<sup>191</sup> In 1936, Austin began Holy Cross Parish, also under Bishop Gallagher. Though other Catholic churches for African Americans existed within the State, no other agency did more for an African American community than the Holy Cross establishments built in East Austin.

Before the Catholic Church built parochial institutions solely for African Americans in East Austin, two things happened. First, East Austin was officially created. The creation of East Austin came through a city plan from the consulting engineer firm Koch & Fowler.<sup>192</sup> The City of Austin changed its operation in 1924 from commission-run to council-run government.<sup>193</sup> This change implemented progressive ideas of beautifying the city for aesthetic purposes, which became city policy.

In 1928, Austin officially began segregating African Americans to the eastern portion of the city. According to sociologist Aldon Morris, the irony of segregation, although inherently wrong, was that it produced positive occurrences.<sup>194</sup> Parochial institutions provided positive outcomes such as fostering a close-knit community, filling an educational gap, and supplying medical services that did not exist in segregated East Austin.

As the University of Texas was expanding rapidly, the land value around the university began to rise. Clarksville, an all-African American community that exists at West 10<sup>th</sup> St is close to the university and capitol building. Now considered a stylish and modern

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<sup>191</sup> Catholic Schools, Diocese of Dallas, "About Us,"

<http://www.csodallas.org/AboutUs/History.html>, (accessed November 18, 2011).

<sup>192</sup> Koch & Fowler, "A City Plan for Austin, Texas," 1928, Austin History Center (AHC), A711.409764.

<sup>193</sup> David C. Humphrey, "Austin, TX (Travis County)," *Handbook of Texas Online—Texas State Historical Association (TSHA)*,

<http://www.tshaonline.org/handbook/online/articles/hda03>, (accessed February 16, 2011).; for further reading on council run governments vs. commission run governments in Texas see Bradley Robert Rice, *Progressive Cities: The Commission Government Movement in America, 1901–1920* (Austin: University of Texas Press, 1977) and *Forms of City Government* (7th ed., Austin: Institute of Public Affairs, University of Texas, 1968).

<sup>194</sup> Aldon Morris, *The Origins of the Civil Rights Movement: Black Communities Organizing for Change* (New York: The Free Press, 1984), 3.

place to live, it was at its founding, hidden by a thicket of wooden forest.

When Emancipation arrived in Texas on June 19, 1865, then Texas Governor Elisha Peace gave parcels of land from his plantation to his emancipated slaves hoping they would remain near and submit their services.<sup>195</sup> Confederate General Nathan Shelly owned some land around the current Clarksville area and sold it to Charles Clark, a former slave.<sup>196</sup> Clark built a house on 10<sup>th</sup> Street and began dividing his property to other African Americans to start building a community.<sup>197</sup> Sweet Home Baptist Church, still in existence today, began in 1882, with the Reverend Jacob Fontaine presiding as its first pastor.<sup>198</sup>

Another all-African American community, Wheatville, existed near Guadalupe Street near the university. It was a community that began with a former Arkansas slave, James Wheat, who brought his family to Austin in 1867.<sup>199</sup> James Wheat built a house and lived off now 2409 San Gabriel Street. He raised corn on today's Guadalupe, West 24<sup>th</sup>, and San Gabriel Streets.<sup>200</sup> The Reverend Jacob Fontaine settled in the Wheatville community in the 1860s and began St. John Regular Missionary Baptist Association and later, in 1889, the New Hope Baptist Church, which moved to, East Austin after the 1928 City Plan.<sup>201</sup>

Austin wanted to use the land from the Clarksville and Wheatville communities to achieve innovative ideas such as beautification, arts and culture, libraries, and infrastructure for the city.<sup>202</sup> In order for the progressive changes to take place, Austin

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<sup>195</sup> Nolan Thompson, "Clarksville, TX (Travis County)," *Handbook of Texas—TSHA*, (<http://www.tshaonline.org/handbook/online/articles/hpc01>), (accessed November 20, 2011).

<sup>196</sup> Ibid.

<sup>197</sup> Ibid.

<sup>198</sup> Ibid.

<sup>199</sup> Nolan Thompson, "Wheatville, TX (Travis County)," *Handbook of Texas—TSHA*, (<http://www.tshaonline.org/handbook/online/articles/hpw01>), (accessed November 20, 2011).

<sup>200</sup> Ibid.

<sup>201</sup> Ibid.

<sup>202</sup> Humphrey, "Austin, TX."

decided to move the communities of Clarksville and Wheatville based on the 1928 Koch & Fowler method. The city plan stated that,

...in our studies in Austin we have found that the Negroes are present in small numbers, in practically all sections of the city, excepting the area just east of East Avenue and south of the City Cemetery. This area seems to be all Negro population. It is our recommendation that the nearest approach to the solution of the race segregation problem will be the recommendation of this district as a Negro district; and that all the facilities and conveniences be provided the Negroes in this district, as an incentive to draw the Negro population to this area.<sup>203</sup>

All municipal facilities, parks, playgrounds, and schools were to be located in East Austin where African Americans could use them.<sup>204</sup> In 1929, the city created Rosewood Avenue Park and Playground for Colored.<sup>205</sup> Mr. Rudolph Bertram purchased 17 acres of land in the modern vicinity, building a house and grocery store.<sup>206</sup> When Mr. Bertram's son-in-law, Charles Huppertz, passed away in 1929, Mr. Bertram sold 17 acres of land to the City of Austin.<sup>207</sup> The city used the land to build the park that became the only park within the city where African Americans could recreate. The older portion of the recreation center is Mr. Bertram's residence.<sup>208</sup>

While the city of Austin implemented municipal facilities, they neglected to develop medical facilities in East Austin for African Americans. One doctor, E.I. Roberts operated a small clinic on San Bernard Street in East Austin. Patients could travel to Austin's community hospital, but the care received was no better than if most African Americans just let their illnesses either run their course or

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<sup>203</sup> Koch & Fowler, "A City Plan."

<sup>204</sup> Ibid.

<sup>205</sup> Wilson E. Dolman, et.al, "East Austin Historic Sites Inventory," (Austin, TX: Preservation Central, Inc., 2006), 18.

<sup>206</sup> Austin Parks and Recreation, "Rosewood Recreation Center," Austin History Center Online, <http://www.ci.austin.tx.us/parks/rosewood.htm>, (accessed November 19, 2011).

<sup>207</sup> Ibid.

<sup>208</sup> Ibid.



succumb to them. Babies had to be born in homes with midwives with minimal prenatal or postpartum care.

The second occurrence in the development of Catholic institutions in East Austin was the Catholic Church needed to ensure that there was a necessity for constructing a new church. There were certainly other churches in East Austin of several different denominations by the time the Holy Cross Parish was built.

The fundamental Baptist church was Ebenezer Third Baptist Church that sits due north of the French Legation on the corner of East 10<sup>th</sup> and San Marcos Streets. Originally named Third Baptist Church, because it was the third Baptist congregation in Austin. It began in 1875, in the home of Mrs. Eliza Hawkins. Its first minister was Reverend C. Ward.<sup>209</sup> Far from the gothic design it has become, the early church was a small, wooden frame building. Nonetheless, it served the African American Baptist community, expanding its followers twice to permit reconstruction and relocation.

The Metropolitan A.M.E. Church sits down the block from Ebenezer on East 10<sup>th</sup> Street and Waller. Its beginnings started in the basement of the oldest Methodist church built for African Americans; Wesley United Methodist Church founded in 1865. It now sits on the corner of Hackberry and San Bernard Streets northwest of Holy Cross Parish. The Metropolitan A.M.E.'s initial congregation was slaves.<sup>210</sup> Two ministers, a white Methodist missionary, Reverend Joseph Welch, and an African American Reverend Isaac Wright worked together to form the Wesley Methodist Church.<sup>211</sup>

The principal Episcopal church, St. David's Episcopal Church is located on the corner of East 8<sup>th</sup> Street and Trinity on the west side of I35. While this church was located the furthest from the African American communities, it is unlikely that there were any African Americans practicing. Second, the Episcopalian Church is a

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<sup>209</sup> Ebenezer Third Baptist Church, Historical Marker, <http://www.hmdb.org/PhotoFullSize.asp?PhotoID=155268>, (accessed November 19, 2011).

<sup>210</sup> Wesley Methodist Church, "History," <http://wesleyunited.org/about-wesley/history/>, (accessed November 19, 2011).

<sup>211</sup> Ibid.

connection between Roman Catholicism and Protestantism. These faiths were practiced rarely, at the time, by African Americans.

Two other Baptist Churches existed in the East Austin area. Mt. Olive Baptist Church, founded in 1889 on the Tillotson College Campus was in proximity to the Holy Cross Parish. Located on Leona Street, Mt. Olive sat due north of the Holy Cross Parish. However, when Holy Cross was built, Mt. Olive moved to its present day location on East 11<sup>th</sup> Street, one block down from Holy Cross Parish. Greater Mount Zion Baptist Church existed far northeast of Holy Cross Parish on the corner of Pennsylvania Avenue and Chicon Street. Its founding father was the highly revered Reverend Jacob Fontaine.<sup>212</sup>

There were two Catholic Churches, St. Mary's, formerly known as St. Patrick's, and Our Lady of Guadalupe, in the eastern portion of Austin. St. Mary's, on East 10<sup>th</sup> Street on the western side of I35 existed for the strong Irish and German cultures.<sup>213</sup> Our Lady of Guadalupe sits directly across from the Texas State Cemetery on East 9<sup>th</sup> and Navasota Streets and exists for the Hispanic community. Out of the three African American Catholic families in the Austin area, two attended St. Mary's and one, the Mosby's, attended Our Lady of Guadalupe. Given the amount of churches that existed in the area, none existed for the African American Catholic families that lived in East Austin.

While St. Mary's and Our Lady of Guadalupe allowed African American Catholics to attend their services, they did not necessarily offer an inviting atmosphere for African Americans. St. Mary's Church was a segregated institution forcing their African American parishioners to sit behind signs in the back of the church. Our Lady of Guadalupe, although integrated, only offered their services in Spanish. Therefore, if African American Catholics were going to feel comfortable worshipping their faith, they needed a church of their own. There was no other option for them but to create one.

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<sup>212</sup> Mt. Zion Baptist Church, "Our History," <http://mtzion-baptist.org/content.cfm?id=296>, (accessed November 19, 2011).

<sup>213</sup> Mary Starr Barkley Papers, AR.V.006, Box 8, Folder 1-2, Austin History Center, Austin, Texas, (referred hereafter as AHC).

In addition to the small number of practicing African American Catholics, the scattered African American communities made numbers seem smaller to the Catholic Church. Prior to 1928, there were smaller African American communities dispersed throughout the eastern part of Austin. These smaller communities of Horst's Pasture, Pleasantville, Kicheonville, Masontown, Robertson Hill, and Gregorytown, combined into one large, central, and cohesive community after 1928.<sup>214</sup> The communities of Wheatville and Clarksville were also affected. Wheatville disbanded and migrated to East Austin after 1928. The former Wheatville community on Guadalupe became the West Campus area of the University of Texas.

The Clarksville community though it still exists today as one of two black national historical districts in the entire United States, struggled considerably when the migration to East Austin occurred.<sup>215</sup> Clarksville stood its ground after the 1928 plan despite the City of Austin shutting down the Clarksville school and utility services.<sup>216</sup> Those African Americans migrating to the east side, from Wheatville and a few from Clarksville, drew the existing smaller communities in closer as businesses and schools were centrally built and more easily reached.

With the creation of the 1928 city plan, a large majority of the city's African American population migrated to one centralized location. The Catholic Church realized a need to minister to the African American community was greater than previously thought. The church also knew that having a larger, centralized community meant a stronger outreach to save souls.

Having no real freedom of choice, African Americans began to make East Austin their community. Deed restrictions from the city kept African Americans from buying property except on the east side. Therefore, they could not develop or expand their community outside

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<sup>214</sup> George Washington Carver Museum & Cultural Center (GWCMCC), Online Exhibits, "Signs and Symbols," [http://www.ci.austin.tx.us/carver/online\\_exhibits/sir\\_default.htm](http://www.ci.austin.tx.us/carver/online_exhibits/sir_default.htm), (accessed March 30, 2011).

<sup>215</sup> KLRU, "East Austin Gentrification."

<sup>216</sup> Ibid.

of East Austin boundaries.<sup>217</sup> African Americans opened businesses in East Austin such as funeral homes, grocery stores, hair salons, and other essential community businesses, all in proximity to homes.<sup>218</sup> East Austin became a densely settled, walk-able community. Roads were not paved in East Austin until 1974 and in Clarksville; they were paved the following year.<sup>219</sup> Driving was almost unheard of for poor African Americans and every business needed to be within walking distances of the community. Churches and schools needed to be in proximity to homes.

Though two African American colleges, Tillotson College and Samuel Huston College, along with Anderson High School existed, there remained a need for quality elementary education.<sup>220</sup> Kealing Junior High, the first middle-school for African Americans in the city, established itself in the community, in 1930. There remained, however, no real primary schools for East Austin residents.<sup>221</sup> While East Austin was an educational hub for African Americans, it did not mean that it was equal to the education whites received outside of East Austin. The needs of quality education still existed for East Austin residents, and the Catholic Church built its institutions to bridge the educational difference from preschool to middle school. It began with Holy Cross Parish.

At the age of thirty, Father Francis R. Weber arrived in Austin in the fall of 1935.<sup>222</sup> Born and reared in Detroit Michigan, Father Weber went to the Holy Cross university of Notre Dame to obtain

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<sup>217</sup> Mary Starr Barkley Papers, AHC.

<sup>218</sup> Ibid.

<sup>219</sup> Nolan Thompson, "Clarksville, TX (Travis County)," *Handbook of Texas Online—TSHA*, <http://www.tshaonline.org/handbook/online/articles/hpc01>, (accessed November 17, 2011).

<sup>220</sup> Huston-Tillotson University, "About Us," <http://htu.edu/about>, (accessed November 3, 2011); Tillotson College opened in 1881, Huston College opened in 1900, and Anderson High School opened in 1889.

<sup>221</sup> Kealing Middle School, "About Us," <http://www.kealing.org>, (accessed November 3, 2011).

<sup>222</sup> Francis R. Weber to Bishop Christopher Byrne, December 29, 1935, Box 31.4, Diocese of Austin Collection, Catholic Texas Archives, Austin, TX. Referred to hereafter as the DOAC/CAT.

seminary training, and was ordained on June 24, 1935<sup>223</sup> Father Weber expressed in a letter to the bishop of Galveston his desire to work among the African American community, “having made some assessment of the current Negro situation.”<sup>224</sup> At the urging of his superior, Father Burns sent Father Weber to Austin so that he may assess the condition of African Americans.<sup>225</sup> At this time, the Holy Cross Congregation had no African American missions.<sup>226</sup> Therefore, if Father Weber found a need among the East Austin community to establish a parish, he should do so with the bishop’s blessing.

Father Weber arrived at Saint Edward’s University, the Catholic Holy Cross University in Austin. He was a tall and slender man, with an amiable face that always carried a smile. Although he looked overbearing and commanding in his long, black cassock, Father Weber was approachable due to his soft features, kind voice, and genteel mannerisms. He walked the streets of East Austin getting to know members of the community and seeking out any African American Catholics. In a letter to the Right Reverend Bishop Christopher Byrne of the Diocese of Galveston, Father Weber states that he ran across a prominent African American Catholic who was helping him locate a central area in the community.<sup>227</sup> This woman, Eva Marie Mosby, along with two others, Mathilda DeBlanc, a Louisiana Creole Catholic, and Williametta Givens, were instrumental in the starting of Holy Cross Parish.<sup>228</sup>

Of the three founders of Holy Cross Parish, Mathilda DeBlanc lived the furthest away from the parish on Olive Street, near present day I35 and slightly south of Oakwood Cemetery.<sup>229</sup> The DeBlancs only spoke Creole French when they arrived in Austin, in

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<sup>223</sup> “Farewell Party Slated Tuesday for Holy Cross Church Pastor,” *Austin-American Statesman*, Sunday, August 3, 1952, p. B-6.

<sup>224</sup> Weber, December 29, 1935. DOAC/CAT

<sup>225</sup> Ibid.

<sup>226</sup> Clarence J. Howard, S.V.D., “The Architect of Austin,” *St. Augustine Register* 9, no. 2 (February, 1941): 28, Society of Divine Word—The Chicago Province, Robert M. Meyers Archives.

<sup>227</sup> Weber, December 29, 1935. DOAC/CAT.

<sup>228</sup> Holy Cross Parish (HCP), “Our Faith Story,” <http://www.holycrossaustin.org>, (accessed February 12, 2011).

<sup>229</sup> Mathilda DeBlanc death certificate.

1914 from Louisiana. They settled in the area of East Austin that housed mulatto creoles. Gilbert DeBlanc lost the family farm in Louisiana to continuous devastating weather patterns, which forced the family to move. Gilbert took a job in Austin as a porter, working for a druggist. He also catered wedding and social events for the East Austin community. Mathilda DeBlanc taught herself to read, and she found work as a seamstress.<sup>230</sup>

As East Austin had little to no primary schools, education for the younger DeBlanc children came by way of neighbors and the Catholic Church, which was probably St. Patrick's, as it was the closest one to the DeBlancs. The DeBlancs only learned what English the Catholic Church taught them through the catechisms. Sometimes, if they were not picking cotton in another town, Mrs. DeBlanc sent her children to Miss Ernest, a neighbor, to learn their letters.<sup>231</sup> Miss Ernest also taught the children how to read the prayer books and missals. Those that were not educated knew the importance of having one and attempted to provide it for not themselves, but for their children. In fact, it would be their daughter, Ada Marie Simond DeBlanc who graduated with advanced degrees in health, eventually working for the Tuberculosis Association and the Texas State Department of Health.<sup>232</sup> She too, was instrumental in starting Holy Cross Parish at the age of thirty-two.<sup>233</sup>

The Givens' lived on Poquito Street, which was further north of East Austin, just one block south of present day Martin Luther King, Jr. Boulevard, directly east of Oakwood Cemetery.<sup>234</sup> Williametta Givens hailed from Milano, Texas and was the wife of prominent civic leader and dentist, Dr. Everett Humbles Givens.<sup>235</sup> Dr. Everett's success allowed Mrs. Givens to remain at home, raising their children, and becoming involved in community affairs. Dr. Givens, an Austin native and WWI veteran, brought many changes to the East Austin

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<sup>230</sup> Marian E. Barnes, *Black Texans: They Overcame*, (Austin, TX: Eakin Press, 1996), 96.

<sup>231</sup> *Ibid.*, 97.

<sup>232</sup> *Ibid.*, 100.

<sup>233</sup> *Ibid.*, 101.

<sup>234</sup> Williametta Jones Givens death certificate

<sup>235</sup> *Ibid.*

community, such as parks, street lights, paved streets, and swimming pools. He was never credited for opening the talks at City Council that brought Disch Baseball Field to East Austin.<sup>236</sup> If it needed to be built or repaired, Dr. Givens was at the City Council meetings speaking on behalf of the East Austin Community. He was a tall, robust man, with friendly eyes that complemented a courteous smile. He was a friend to many, but Senator Lyndon Baines Johnson considered Dr. Givens, one of his dearest friends.<sup>237</sup>

The Mosby's lived on Chicon Street, the closest to Holy Cross Parish, living one block over from the parish. Mrs. Mosby hailed from Iberia, Louisiana. She had strong features and kind eyes, both matching her spirit. She had a loving presence about her that extended to whomever she came in contact with. She grew up Catholic and was baptized at St. Anne's Catholic Church in Youngsville, Louisiana.<sup>238</sup> She and her family moved to Beaumont, Texas where she attended a Catholic primary school and a secular high school.<sup>239</sup> During her high school years, Mrs. Mosby was involved in helping the community, working at Hotel Dieu Hospital, the local Catholic hospital.<sup>240</sup>

In 1931, Mrs. Mosby, then Ms. Eva Melancon, arrived in Austin, Texas with only \$11.<sup>241</sup> She took a job offered to her by Mary E. Branch, the then president of Tillotson College.<sup>242</sup> Working her way through college, Mrs. Mosby graduated in 1935 and obtained a teaching position in San Marcos. She later received a Masters of Arts degree from Prairie View A&M University.<sup>243</sup> She, along with her husband Dr. James E. Mosby, Jr., believed in education and passed

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<sup>236</sup> Minutes of the City Council, City of Austin, Regular Meeting, 1955, 1956, 1958, 1962, AHC; Alan C. Atchinson, "When Every Town Big Enough to Have a Bank Also Had a Professional Baseball Team: The Game Returns to Austin After World War II," (*Faculty Publications—History*, 1999):201; Dr. Everett Givens death certificate.

<sup>237</sup> Larry Still, "Tale of Two Cities: Revealing Eyewitness Report," *Jet Magazine*, October 15, 1964, 22.

<sup>238</sup> Obituary of Eva Marie Mosby, Memorial Obituary, King-Tears Mortuary, (Austin, TX), April 23, 2007.

<sup>239</sup> Ibid.

<sup>240</sup> Ibid.

<sup>241</sup> Ibid.

<sup>242</sup> Ibid.

<sup>243</sup> Ibid.

their desire to learn onto their eight children, all whom graduated with advanced degrees.<sup>244</sup>

Mrs. Mosby expressed her desire for an all-African American congregation, as she attended Our Lady of Guadalupe, which was across the other side of East Austin. She also could not fully understand the sermons at Our Lady of Guadalupe. When asked why she did not attend the English services at St. Mary's with the other African American Catholics, Mrs. Mosby replied, "Because I will not worship in a church where I have to sit behind a sign."<sup>245</sup> This went against the teaching of one body of Christ, in her opinion. Therefore, the establishment of an African American Catholic parish and one that was in proximity to the Catholic families allowed them to practice their religion freely and conveniently.

These three families, DeBlancs, Mosby's, and Givens having grown up in the faith, knew what bringing in an African American parish could offer to the community. The Catholic Church could provide education, something important to all three founding members. Ms. Mosby, having worked at a Catholic hospital knew the benefits of having one in a community. The Givens, rooted in community building certainly saw the potential to the East Austin community from an all African American Catholic church. With this in mind, the founders met with Father Weber and Mr. and Mrs. William Tears, who owned Tears Mortuary in East Austin. In the Tears' living room, Father Weber celebrated first mass on December 31, 1935 and thus began the Holy Cross Parish.<sup>246</sup>

The five parishioners worked to bring in more converts. Father Weber worked to obtain a building for his potential new parishioners. It was a painstakingly slow process. Eventually Father

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<sup>244</sup> Ibid.

<sup>245</sup> Alfredo E. Cardenas, "Holy Cross is 'Mother Church' for Black Catholics," *Catholic Spirit*, November 2005, [http://www.austindiocese.org/newsletter\\_article\\_view.php?id=410](http://www.austindiocese.org/newsletter_article_view.php?id=410), (accessed March 1, 2011).

<sup>246</sup> Ibid.; For further reading on celebrating the mass, read "Celebrating the Mass: a pastoral introduction," published under the Catholic Truth Society and Colloquium. A online version may be found at: <http://www.liturgyoffice.org.uk/Resources/GIRM/Documents/CTM.pdf> (accessed October 14, 2011).



Weber bought a five-room frame house at 1608 East 11th Street in June of 1936.<sup>247</sup> Exchanging his cassock for overalls, Father Weber grabbed a saw and hammer, renovating the house into a small, temporary chapel and rectory using repurposed materials.<sup>248</sup> Mrs. Mosby stated that they had to do everything themselves to build the church. From floor to ceiling, the community furnished everything in the parish.<sup>249</sup> It was indeed their church, and Mrs. Mosby was the first to be married in the church on August 2, 1936.<sup>250</sup>

Eventually, Father Weber acquired a loan for \$2000 to buy property at 1610 East 11th Street and \$1400 through street-begging.<sup>251</sup> He wrote the architect firm McGinnis & Walsh to draw blueprints for the larger church to include a basement for a school and social center.<sup>252</sup> Not waiting for McGinnis & Walsh, Father Weber once again scoured the area for re-purposed and donated material to start building the larger church. He borrowed a mule and a shovel and started digging the basement himself.<sup>253</sup> Using half of the \$1400, Father Weber hired a licensed plumber, electrician, and roofer to complete the building.<sup>254</sup> By 1937, Holy Cross Parish was complete, and it had grown from five parishioners to fifty-seven.<sup>255</sup>

Following the construction of the parish, a school soon opened for the children. It began as a daycare and was co-religious.<sup>256</sup> No parent had to be Catholic in order for their child to attend allowing the entire East Austin community to participate in a better education. It was the first preschool in East Austin where parents could leave their

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<sup>247</sup> Howard, "The Architect of Austin," 28; Hand drawn map of HCP property lines, Box 31.7, DOAC/CAT.

<sup>248</sup> Howard, "The Architect of Austin," 29.

<sup>249</sup> *Ibid.*

<sup>250</sup> HCP, "Our Faith Story," Mrs. Eva Marie Mosby's obituary.

<sup>251</sup> Letter from Father Weber to Bishop Christopher Byrne of the Diocese of Galveston, June 22, 1936, Box 31.4, DOAC/CAT.

<sup>252</sup> Letter from Father Weber to Bishop Christopher Byrne of the Diocese of Galveston, February 1, 1937, Box 31.4, DOAC/CAT.

<sup>253</sup> James Vanderholt, "Holy Cross One Hundred Years in Texas, 1874-1974," Box 39.9, DOAC/CAT.

<sup>254</sup> *Ibid.*

<sup>255</sup> *Ibid.*

<sup>256</sup> Sandra McCarthy, "Catholic Parochial Schools in the Austin Diocese from 1949-March 1985", bound compilation list with brief histories of each school, CAT.

children safely while they went to work. Wives, along with their husbands, could go to work which produced a dual income household. Working single women had the opportunity to leave their child with an educator instead of a babysitter.

The first teacher was Mrs. K. Williams. By 1939, the school had 38 preschool aged children. By 1941, the Fransiscan Missionary Sisters of the Immaculate Conception from Patterson, New Jersey took over the school and expanded it to fifth grade.<sup>257</sup> The Holy Cross complex also expanded as the nuns needed a place to live. Father Weber managed to purchase the property, known as the Schmidt House, at 1600 East 11th Street, which he renovated for a convent.<sup>258</sup> There, the nuns lived and worked, eventually expanding the school's program to a K-8 curriculum with over 220 children.<sup>259</sup>

Perhaps the most influential and most needed Catholic institution built in East Austin was the Holy Cross Hospital. Two things were unique to this hospital. Built behind the church in 1941, it ran and operated under the first nun licensed as a physician, Sister Celine Heitzman of the Missionary Sisters of the Immaculate Conception.<sup>260</sup> Second, the Holy Cross Hospital was the first racially integrated medical facility in the South.<sup>261</sup> Sister Celine, whose position was voluntary, had a racially diverse staff. Dr. B.E. Conner, an African American doctor, was on staff with Sister Celine. Dr. Samuel P. Todaro, a white surgeon, was also part of the staff.<sup>262</sup> African American nurses worked along with the nuns from New Jersey. The hospital began as a 22-bed facility with eight bassinets.<sup>263</sup> For the first time, East Austin women could have their babies in a hospital with

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<sup>257</sup> Cardenas, "Holy Cross is Mother Church."

<sup>258</sup> Katherine Gregor, "Holy Uproar Over Eastside Teardown," *Austin Chronicle*, July 16, 2010, <http://www.austinchronicle.com/news/2010-07-16/1055898>, (accessed September 23, 2011).

<sup>259</sup> McCarthy, "Catholic Parochial Schools."

<sup>260</sup> Gregor, "Holy Uproar."

<sup>261</sup> Ibid.

<sup>262</sup> Christopher O'Toole, "Holy Cross in the South, Southern Province, Holy Cross Fathers, 1982," Box 39.9, DOAC/CAT.

<sup>263</sup> Howard, "The Architect of Austin," 30.

supervised medical care. Over the years, it expanded and moved to 2600 E. Martin Luther King, Jr. Boulevard.<sup>264</sup>

Since the Holy Cross missions, with the exception of the parish, no longer exist in East Austin they have become forgotten components in the community's history. The Holy Cross institutions exemplify Aldon Morris's position that segregation ironically produced positive outcomes until segregation could be overturned. If as Aldon Morris states, that the irony of segregation fosters some positive outcomes, then the irony of integration must be that it breaks down those positive outcomes. Longtime East Austin resident and business owner Ben Longbranch states,

I almost want to state that integration kind of hurt us because they just scattered us through the city of Austin. But it didn't really. It helped us. But it kinda seems like we lost our roots when integration came, because I guess we wanted to see something different, and in order for that, we have to move out of East Austin.<sup>265</sup>

It is true that integration broke the thriving, segregated East Austin community. However, they did not lose the sense of community. The Holy Cross institutes were the ties that bind people together who then pass their faith outward to the community, and eventually into Austin proper. The community foundation built by such civic minded people as the DeBlancs, Givens and Mosbys certainly provided continuity in bettering the community.

When integration finally allowed African Americans to move out of East Austin, they took with them the process of building close knit communities into the larger areas of Austin. One example is the program Meals on Wheels which began in the Holy Cross parish basement.<sup>266</sup> Eight volunteers began cooking meals to feed homebound elderly East Austin neighbors. The program expanded from 29

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<sup>264</sup> "Farewell Party Slated," *Austin-American Statesman*.

<sup>265</sup> Andrew M. Busch, "The Bridge to Ben's: Connecting City Politics to Neighborhood Barbeque," in *Republic of Barbeque: Stories Beyond the Brisket*, ed. Elizabeth S.D. Engelhardt and Marsha Abrahams, (Austin, TX: University of Texas Press, 2009), 50.

<sup>266</sup> HCP, "Our Faith Story."

homebound seniors to 330 people in five years. Today, they serve over 4,000 homebound residents within the city of Austin.<sup>267</sup>

Several highly respected parishioners are community leaders that have served to change and better the Austin community as a whole. Former State Representative Wilhemina Delco and first woman Speaker Pro Tempore of the House of Representatives improved the East Austin community. She graduated from Wendall Phillips High School in Chicago, Illinois and attended Fisk University in Tennessee majoring in sociology with a minor in economics.<sup>268</sup> While at Fisk, she met and married Dr. Exalton A. Delco. They moved to Austin in 1957.<sup>269</sup> She became involved in many educational founding and advisory boards and councils.<sup>270</sup> Another well respected civic leader and member of Holy Cross Parish is Gary Bledsoe, the Texas president of the NAACP.<sup>271</sup> His wife, Alberta Phillips is an editorial writer for the *Austin-American Statesman*.<sup>272</sup>

Though the Holy Cross School closed in 1960 and the hospital in 1989, they were around long enough to instill the sense of community pride.<sup>273</sup> Catholic institutions, like those created in segregated East Austin, were, in fact, grass-roots movements in themselves. The community is what made the institutions viable options for education and spiritual care. The community was pioneering in bringing the hospital to East Austin.

It is often Father Weber who is solely credited for bringing the Holy Cross Parish, school, and hospital to East Austin residents. However, with the civic-minded families of the Mosby's, DeBlancs, and the Givens, they were able to use the opportunities of their Catholic

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<sup>267</sup> Meals on Wheels and More, "About Us,"

<http://www.mealsonwheelsandmore.org/about-us/>, (accessed November 3, 2011).

<sup>268</sup> Phyllis Earles, "Wilhemina Delco Biography", Prairie View A&M University, Wilhemina Delco Collection, <http://www.pvamu.edu/pages/3833.asp>, (accessed October 9, 2011).

<sup>269</sup> Ibid.

<sup>270</sup> Joan Bahner and Jennifer York, "Delco, Wilhemina R. 1929-," Contemporary Black Biography, *Encyclopedia.com*, 2002, <http://www.encyclopedia.com/doc/1G2-2873500024.html>, (accessed November 17, 2011).

<sup>271</sup> Gregor, "Holy Uproar."

<sup>272</sup> Ibid.

<sup>273</sup> HCP, "Our Faith Story."

faith, and build the Catholic institutions, which bettered their community. They were able, with the help of the Catholic Church, to rise above their position of segregation the City of Austin forced upon them and transform their community. To be fair, Father Weber worked for the East Austin community knowing that there was a need for the institutions the Catholic Church could offer to the community. It is misleading, though, for bibliographic authors of Father Weber, to give him the sole credit of building the Holy Cross institutions. Father Weber became part of the community because of the giving nature of families such as the DeBlancs, Givens, and Mosby's.

While integration may have broken the community, the roots of the community remain intact due in large part of the Holy Cross establishments and the foundational elements of community building left behind by the founders. The longing of a cultural connection created by the Holy Cross institutions brings those that have left East Austin back to the community. Eighty percent of the parishioners live outside East Austin, but return every Sunday to worship in the little church the DeBlancs, Givens, Mosby's, and Father Weber began, seventy-five years ago.<sup>274</sup>

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<sup>274</sup> Cardenas, "Holy Cross Church is Mother Church."

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## LOS LUNAS INSCRIPTION: BETWEEN A ROCK AND A HARD PLACE

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### Introduction

If one were interested in studying ancient Semitic texts one would most naturally think to travel to the ancient lands of Israel, Jordan, or Syria home of ancient Semitic texts. Or, one might travel to London, Paris, or Berlin, seeking out museums that have acquired ancient Semitic texts as a result of excavations and treasure hunting in the Middle East over the last two hundred years. One would not intuitively think to drive out to the American Southwest to find an ancient Semitic text. However, a text can be found, not in a museum, a university collection, or even a private collection, but *in situ* amidst volcanic remnants in the middle of the state of New Mexico, just west of the little town of Los Lunas. This inscription appears to be an ancient Semitic text, written primarily in an ancient Hebrew-Phoenician script. What is this inscription? Who inscribed it? When was it inscribed? And, finally, why was it inscribed out in the middle of nowhere? These questions have been asked and answered by several amateur historians and linguists. However, few scholars with knowledge of Semitic scripts or Biblical history have attempted to study this inscription and give decisive answers regarding these questions.

Two main conclusions have been drawn regarding this anomalous inscription. Those non-specialists who have studied it have mostly concluded that the inscription has its origins in antiquity, dating it anywhere from the 1<sup>st</sup> century CE to 1000 B.C.E.. Although a couple of Biblical scholars have come to the same conclusion, most notably Cyrus Gordon, most have concluded, without investigating the inscription, that it is a fraud . . . a hoax perpetrated by some unknown miscreant. In a personal conversation with the esteemed Anson Rainey, he dismissed the inscription asserting that he had heard it was a

prank perpetrated by a seminary student.<sup>275</sup> On the one hand most of those who have investigated this inscription do not have the expertise to come to a credible conclusion; and on the other hand, those who have the expertise have been reluctant to weigh in and thus offer a credible answer. In light of the fact that this inscription is located not far from another controversial New Mexico landmark, Roswell, so it is not surprising that Biblical scholars would be wary of such a fantastic claim.

This paper will assert that neither of these two conclusions is correct. The Los Lunas Decalogue Inscription is neither an ancient inscription, nor a modern hoax. This paper will offer a third mediating conclusion based on epigraphic and paleographic concerns, geological and provenance issues, and in light of what is considered to be known facts regarding Biblical and World History.

#### Location of Los Lunas Inscription

Los Lunas, New Mexico, the namesake of the inscription, is a small town with a population of about 20,000 located approximately twenty-three miles directly south of Albuquerque, New Mexico along state highway 25. The Anasazi Indians populated this area when Spanish settlers arrived in the seventeenth century CE. A land grant was given to the family of Don Felix Candelaria in 1716. Shortly thereafter possession of the land passed into the hands of the Luna family. Native Americans, Spaniards, Mexicans, Texans, and other settlers have continuously populated the area since that time.<sup>276</sup>

Two dormant volcanoes can be found approximately thirteen miles to the west of Los Lunas. One of these volcanoes forms a small rocky mesa rising to a height of about 200 feet above the barren valley. The Rio Puerco River runs roughly north to south-southeast, to the right of these twin mountains, as it makes its way to the Rio Grande River 18 miles to the south. The mountain with the inscription is often referred to as “Mystery Mountain” or “Hidden Mountain.” The inscription itself is called the “Los Lunas Stone,” “The Decalogue Stone,” “The Ten Commandments Stone,” “The Phoenician Rock,” and

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<sup>275</sup>Personal conversation with Dr. Rainey on November 28, 2011.

<sup>276</sup>Village of Los Lunas, New Mexico. [on-line]. Accessed 25 February 2013. Available from <http://www.loslunasnm.gov/index.aspx?nid=68>; Internet.

other similar names. There are additional inscriptions and petroglyphs near the Los Lunas Stone and atop the mesa. Some of the inscriptions are obviously graffito of recent origin. However, there are others that, like the Los Lunas Inscription itself, contain what appears to be ancient Semitic script of undetermined age. The focus of this paper will be upon the Los Lunas Inscription itself.

### Geological Analysis

The inscription has been incised upon the chiseled, flat face of an exposed 80-100 ton basalt boulder, one-third the way up the northern face of the mountain. The writing surface, about four feet by five feet, is perpendicular to the ground with a slight forward tilt. The boulder sits in the middle of a wash where occasional rainfall creates a water flow that covers much of the vertical rock surface. The flat, chiseled surface of the boulder faces north with its right side tilting downward 30-40 degrees. According to a geological study done by geologist George Morehouse, it is apparent that this large boulder has broken off of the top of the mountain and settled in its present location a great time ago.<sup>277</sup>

The inscribed surface of the rock is relatively smooth, hinting at the weathering that has besieged it. The lower two-thirds of the rock are smoother than the upper third, however, because of weathering caused by rushing water, laden with sand and silt, during heavy rains making its way to the valley below. Unfortunately, the patina of the inscription surface cannot be analyzed because the surface has been scrubbed clean by amateur investigators and others on numerous occasions in order to study the inscription. Morehouse references author Barry Fell in *Saga America* that a local Boy Scout troop regularly scrubs the inscription at present time.<sup>278</sup> The smoothness of the surface of the stone, the positioning of the inscribed boulder and its present orientation, and other determinants point to a dating of the inscription, anywhere from 500-2000 years ago, according to Morehouse.<sup>279</sup>

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<sup>277</sup>George E. Morehouse, "The Los Lunas Inscriptions: A Geological Study," *Epigraphic Society Occasional Publications* 13 (1985): 47.









<sup>278</sup>Barry Fell, *Saga America*, Three Rivers Press, 1983.

<sup>279</sup>George Morehouse, 48.

## Paleographic Analysis

The Los Lunas Inscription is a multi-lined text written in what appears to be a hybrid form of ancient Phoenician-Hebrew-Moabite-Greek-Latin script. Or, it may be more accurate to state that it appears to be a form of ancient Phoenician-Hebrew-Moabite script with some letters substituted with Greek or Roman alphabet. According to Cyrus Gordon, a couple of characters indicate a Samaritan influence as well. The inscription has nine lines of text written from right to left. Eight of the nine lines are evenly spaced. However, the second line is an insertion, as it appears that the author realized he had omitted it after he had completed the inscription and added the line afterwards between lines one and three. The result is an overcrowded section of text that easily distinguishes itself from the rest of the inscription. The nine lines of text comprise 219 consonantal characters plus ten dots used as sentence dividers and a caret used to mark the placement of the insertion of line two after the third word in line three.

The curious combination of Semitic, Greek, and Latin characters has not been previously noted in any ancient inscriptions.<sup>280</sup> A notable exception would be the Dead Sea Scroll 4QZodiacal Physiognomy, which includes two Greek characters and one Cryptic A character within its primarily Hebrew script.<sup>281</sup>

Most of the characters of the Los Lunas Inscription are similar to the Hebrew, Phoenician, and Moabite scripts dating from the early to mid-first millennium B.C.E.. The aleph ( , bet ( , gimel ( , he ( , nun ( , pe ( , resh ( , and waw ( ) all equally demonstrate characteristics of early Phoenician, Hebrew, or Moabite as

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<sup>280</sup>Note DSS 4QZodiacal Physiognomy which has a combination square Hebrew script in addition to paleo-Hebrew, Greek and cryptic letters. Mladen Popvic, *Reading the Human Body*, (Boston, Brill, 2007): 7.

<sup>281</sup>“4Q186. 4QZodiacal Physiognomy. A Full Edition,” in *The Mermaid and the Partridge: Essays from the Copenhagen Conference on Revising Texts from Cave Four* (ed. G.J. Brooke and J. Høgenhaven; *Studies on the Texts of the Desert of Judah* 96; Leiden: Brill, 2011), 221-58.

demonstrated by the Gezer Calendar, Tel Dan Stela, Mesha Stela, and the Tell Fakhariyah inscription.<sup>282</sup>

The *dalet*, *he*, and *kaph*, while sharing qualities with the early Phoenician-Hebrew script, also demonstrate a similarity to their counterparts in the archaic Greek alphabet (eighth to seventh century B.C.E) (𐤃, 𐤄, 𐤅). The *dalet* of the LLI is more of an isosceles triangle (Δ) shape rather than the wedge shaped triangle (𐤃) of ancient Phoenician-Hebrew. Additionally, the *dalet* (𐤃) of Phoenician-Hebrew quite often had a “tail” as the right vertical line crossed through the lower horizontal line. Thus the Los Lunas *dalet* more closely resembles the *delta* (δ) of the ancient Greek.

The *he* looks like a backwards E with the long vertical stroke passing through the lowest horizontal bar leaving a little “tail” under it. It looks most nearly identical to the *epsilon* (ε) of the archaic Greek and similar to a backwards E of the Latin script. It also bears resemblance to the *he* (𐤄) of the ancient Hebrew of the Tel Dan inscription, if one rotates the letter clockwise until the bottom of the letter rests flat on the baseline and then the elongated tail would need to be shortened. The Moabite *he* (𐤄) is similar if the elongated tail on the vertical stroke is shortened and all of the horizontal strokes were straightened out so that they were perpendicular and at a 90° angle to the vertical stroke. However, the LLI *he* looks most like the *he* from the Tell Fakhariyah inscription and the archaic Epsilon.

The LLI *kaph* looks like a backwards K. However, the lower diagonal stroke does not converge with the upper stroke at the long vertical stroke, but intersects the upper diagonal stroke midway in its course. The Los Lunas *kaph*, like the *he*, looks like a reversed version of its counterpart in the Latin script (K, E).

The Los Lunas *het* (H), *zayin* (Z), *lamed* (l), *ayin* (O), and *tau* (T) though bearing some reflection of their Hebrew counterparts, look more like Latin or Greek versions of the same letters. Of all these, the

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<sup>282</sup>All references to paleography are taken from Ada Yardeni, *The Book of Hebrew Script*, New Castle, DE: Oak Knoll Press, 2002.

*het* least resembles its Hebrew counterpart. The Los Lunas *shin* looks similar to the Samaritan *shin* (𐤑). It is a blockish looking character and does not demonstrate the angular nature of the *shin* (ש) in Hebrew-Phoenician.

The remaining letters, *yod*, *mem*, *samek*, *sade*, and *qoph* may resemble some previously mentioned scripts in some ways, but largely demonstrate their own qualities unique to the Los Lunas Inscription. The *yod* looks like a high-backed chair with three legs. The *mem* is a mirror image of the *yod*, if one flips it upside down. The *samek* looks like a “w” with an elongated downward extension on its final stroke. It is similar to a backwards version of an ancient Hebrew *tsade*. The Los Lunas *tsade* looks like a letter “h” that has been flipped upside down. Neither the *sade* nor *samek* look anything like their Hebrew counterparts.


The *qoph* is the most unique of all the Los Lunas letters. It appears to be an hourglass with a flat and somewhat broader bottom and a slightly curved and narrower top. There is some similarity between this *qoph* and the *qoph* of the seventh to first century B.C.E. Phoenician, the New Punic, and the Samaritan. Each of these would need to be rotated clockwise until the bottom of the letter rested flat on the baseline. This would give some semblance of the Los Lunas Inscription *qoph*.

Further research has shown a remarkable similarity between some of the Los Lunas characters, particularly the *yod* and *qoph*, and those used by various scripts of the Iberian Peninsula. The Iberian Peninsula developed several scripts whose characters seem to be similar in form to Phoenician and Greek characters. These scripts were in use variously as early as the eighth century B.C.E. and may have diminished in usage or disappeared altogether around the second century CE. They have their foundations in Greek, Phoenician, Punic, and Latin. Interestingly enough, the Los Lunas Inscription uses characters that bear similarity to all of these scripts: Phoenician, Punic, Greek, and Latin.

Iberian scripts are made up of several scripts, including the Celt-Iberian script, Meridional-Iberian script, Levantine-Iberian script,



Greek-Iberian, and the Sudlusanian-Tartessian script. Of these, all but the Greek-Iberian script, are semi-syllabaries. They use individual characters in order to represent syllables, as well as individual letters. The Celt-Iberian script, Meridional-Iberian script, the Levantine script, and the Sudlusanian-Tartessian script all use the hourglass symbol for the “ko” sound.<sup>283</sup> It is quite certain that this character of the Iberian scripts accounts for the hourglass shape in line five of the Los Lunas Inscription. The hour glass symbol is used in what appears to be the

Hebrew word  (kodesh/qodesh) “holy.” The hourglass Iberian character was substituted for the normal *qoph* and the following, unwritten vowel, *holem*, and thus the syllable “ko/qa” was produced.

All in all the Los Lunas Inscription is a curious mixed collection of characters including Phoenician, Hebrew, Moabite, Ancient Greek, Latin, Iberian and quite possibly Samaritan. These scripts range in date from 1000 B.C.E. to second century CE.

#### History of Discovery and Translation

Donald Cline claims that the Los Lunas Inscription was first discovered in 1883 by a group of settlers.<sup>284</sup> However, the Native Americans in the area claimed that the inscription predated the arrival of their ancestors. Over forty years passed before Professor Frank Hibben, an anthropologist with the University of New Mexico, visited and made an inspection of the Los Lunas Inscription in 1936. Hibben concluded that the inscription was a minimum of 100 years old at the time of his inspection.<sup>285</sup> Harvard professor Robert Peiffer produced the first translation of the inscription in 1949. He concluded that the inscription contained an abbreviated version of the Decalogue of

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<sup>283</sup>Jesus Rodriguez Ramos, “Iberian Epigraphy Page,” [on-line]. Accessed 12 November 2010, [http://webs.ono.com/documenta/ib6\\_en.htm](http://webs.ono.com/documenta/ib6_en.htm); Internet.

<sup>284</sup>Donald Cline. “The Los Lunas Stone,” *Epigraphic Society Occasional Pub.* 10 (1982): 68.

<sup>285</sup>Lyle L. Underwood. “The Los Lunas Inscription,” *Epigraphic Society Occasional Publications* 10 (1982): 60. James Tabor, a professor of religious studies at the University of North Carolina interviewed Hibben in 1996 and gives a date of 1933 as the date of Hibben’s first inspection of the stone. James Tabor. “An Ancient Hebrew Inscription in New Mexico: Fact or Fraud?” *United Israel Bulletin* 52 (Summer, 1997).

Exodus 20.<sup>286</sup> In 1974 Donald Cline wrote to a friend at the Hebrew University of Jerusalem requesting help in deciphering the inscription. He later received a translation from professor Joseph Naveh of the Hebrew University of Jerusalem. He, too, believed the text to be a shortened version of the Ten Commandments as found in Exodus 20.

The text of the Los Lunas Inscription is nearly identical to the Masoretic Hebrew text of Exodus 20:1-17. The introduction of the second verse, as well as commands one through nine, are virtually identical. The final commandment has been shortened, and the elaborations of the second and fourth commandments in verses four through six and nine through eleven have been eliminated altogether.

Grammatical Analysis

The Los Lunas Inscription demonstrates some grammatical anomalies that indicate the inscriber was not likely a native Hebrew speaker. He uses some Hebrew consonants in ways that would be quite foreign to someone who was well versed in ancient Hebrew. For example, in line two he adds the letter ה to the word פני creating the new word פנהי. According to Roger Williamson the author of the inscription may be using the ה as a *mater lectionis*.<sup>287</sup> Additionally, in line four he may be using an א as a *mater lectionis* in the word זכור creating the unattested form זאכור. Typically, the א and ה are rarely used as *matres lectiones* and when they are used they are typically found at the end of words rather than in the middle. Again, a person who was well versed in Hebrew would not make this mistake.<sup>288</sup>

<sup>286</sup>Thomas F. McDaniel. [“The Los Lunas, New Mexico, Decalogue Exodus 20:2-17 and Deuteronomy 5:6-21.”](#)

<sup>287</sup>Roger Williamson. “Turning Right at the Burning Bush, Reflections on a National Treasure from Ancient America.” [on-line]. Accessed 26 October 2010 Available from [http://www.ancienthebrew.org/15\\_williamson.html](http://www.ancienthebrew.org/15_williamson.html); Internet.

<sup>288</sup>Allen P. Ross, *Introducing Biblical Hebrew*, Grand Rapids: Baker Academic, 2001: 33-4.

Another error by the inscriber demonstrating his lack of understanding of the Hebrew language can be found in his usage of the letter **פ** in line five and again where it should have been used in line eight. In line five the word **לקדו** is used. However, the form of the **פ** is the rather odd hourglass form. As mentioned above, this is most likely an Iberian form of the letter **פ**. In line eight, he mistakenly uses a **כ** in place of **פ** creating **שכר** rather than **שקר**, which would be the correct form as found in the MS text. Both of these instances indicate a lack of familiarity with the Hebrew language and possibly an inability to know the difference between a **כ** and **פ**.

Still another error in the Los Lunas Inscription can be found at the end of line five. The Los Lunas Inscription has **למעל** whereas the MS text has **למען**. In this case a **ל** was substituted for the expected **נ**. **מעל** is a verb meaning “to act treacherously” and would never have the preposition **ל** prefixed to it. However, the correct word **מען** with the prefix **ל** means, “in order that” and is the correct phrase anticipated by the context of the sentence.

Further evidence of the Los Lunas author not being a native Hebrew speaker can be found in the use of dots for sentence dividers. Dots being used as word dividers are well attested, most especially in the Mesha Stela.<sup>289</sup> However, it was not common to use dots to separate individual sentences. Eleven distinct uses of dots to separate sentences can be found in the Los Lunas Inscription. Another anomaly is the use of a caret to indicate an insertion in line three. The usage of a ^ (“caret”) to indicate an insertion is a relatively modern invention, not

<sup>289</sup>Shmuel Ahituv, *Echoes from the Past*, Jerusalem: Carta, 2008: 391.

being seen in Hebrew until the 16<sup>th</sup> century CE. This may speak more to the dating of the inscription as much as the origin.

### Origin and Dating

The question of origin and dating poses several problems. Foremost, how can an ancient Semitic writing be found in the New World? There are numerous scripts definitively used (Phoenician, Hebrew, Moabite, Iberian, Greek, Latin) and possibly others. The forms of these scripts as evidenced in the Los Lunas Inscription were used variously from 1000 B.C.E. to 200 CE. European visitors to the Americas did not begin until the Vikings arrived in the northeast in the eleventh century CE and the Spaniards in the southeast and southwest in the fifteenth century CE. There was no contact between the Old World and the New World before this time. Therefore, according to some researchers, the inscription must be a modern work.

On the other hand, proponents of an older date assert that all of these scripts, with the exception of Greek and Latin, were essentially unknown in the modern era until archaeologists began turning up inscriptions written in ancient Phoenician, Hebrew, Moabite, etc. after the mid-nineteenth century CE. Additionally, the inscription is written on a stone that is sitting at a 30-40° angle. It most assuredly would have been inscribed when the stone was oriented in such a way that the inscriber would have been writing horizontally rather than at an angle. The time necessary for the rock to slide into its present position would probably be great. Factor in the surface weathering of the stone and the judgment for an early date of antiquity for the inscription is in order. It seems like finding a solution puts one between a (Los Lunas) rock and a hard place!

Cyrus Gordon, L. Lyle Underwood, Donald Cline, George Morehouse, Jay Stonebreaker, and Roger Williamson all claim a date of great antiquity for the Los Lunas Inscription, ranging from the first century B.C.E. all the way back to the time of king Solomon in the mid-tenth century B.C.E..<sup>290</sup> Their assertions stem from two parallel

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<sup>290</sup>Gordon, *Diffusion of Near East Culture in Antiquity and in Byzantine Times*; Cline, *The Los Lunas Stone*; Underwood, *The Los Lunas Inscription*, Morehouse, *The Los Lunas Inscriptions*; Stonebreaker, *A Decipherment of the Los Lunas Decalogue Inscription*; Williamson, [http://www.ancient-hebrew.org/15\\_williamson.html](http://www.ancient-hebrew.org/15_williamson.html).

passages in 1 Kings 9:26-28/2 Chronicles 8:18 and 1 Kings 10:22/2 Chronicles 9:21.<sup>291</sup> These passages establish the fact that Solomon attained great wealth through an alliance with the Phoenician king Hiram. Solomon and Hiram had a fleet of ships that were absent, according to the text, for three years accumulating a great variety of precious cargo bound for the palace of Solomon. This has given rise to the possibility that Solomon's maritime endeavors were not limited to the Mediterranean Sea, or the Red Sea. It is asserted that his fleet made frequent trans-Atlantic voyages to the Americas in order to trade and acquire gold, silver, and other precious commodities. According to this theory, during the first millennium B.C.E. the Rio Grande and the Rio Puerco rivers were wider and deeper and thus navigable from the Gulf of Mexico.<sup>292</sup> Thus, Solomon's fleet was able to sail up the Rio Grande and into New Mexico via the Rio Puerco, whereby at some time, the inscription was incised. To buoy their claims, additional references are made to other examples of possible pre-Colombian connections between the Mediterranean world and the Americas. Barry Fell's books, *Saga America*, and *American B.C.*, David Deal's book, *Discovery of Ancient America*, and Cyrus Gordon's *Before Columbus* all assert epigraphic and archaeological phenomena that demonstrate a connection between the Old World and the New World prior to Columbus' journey in 1492 CE.

A competing theory states that a Phoenician sailor later towards the end of the first millennium B.C.E. left the inscription. An inscription at the top of the mesa with what appears to be astrological signs has been identified by some as referencing a solar eclipse that occurred on September 15, 107 B.C.E..<sup>293</sup> This inscription, along with the later development of some of the scripts used in the inscription, points to a date of approximately 100 B.C.E., according to some. The testing of the inscription by geologist George Morehouse allows for an

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<sup>291</sup>Juergen Neuhoff. "Is this the World's Oldest Surviving Inscription of the Ten Commandments?" [on-line]. Accessed 26 October 2010. Available from <http://www.mhccorp.com/archaeology/decalogue-introduction.html>; Internet.

<sup>292</sup>Ibid.

<sup>293</sup>Ibid.

age of 500 to 2000 years or more, and his personal opinion after observing the inscription leans toward the 2000 mark.<sup>294</sup> This would put the inscription at just the right time for the 107 B.C.E. dating.

With all the “evidence” pointing to an amazingly early date for the Los Lunas Inscription what evidence is there to controvert this assertion? Occam’s Razor would suggest there is an easier answer. It is easier to surmise that this inscription is one of modernity rather than antiquity. It is easier and less complicated to imagine that a person inscribed this text since the arrival of Europeans in the late fifteenth century CE.

Secondly, there is a dearth of evidence to support the arrival of pre-Columbian Israelites to the shores of the Americas. There is no textual evidence to support this assertion. It is a stretch to take the passages out of 1 Kings and 2 Chronicles and extrapolate that Solomon’s fleets made trans-Atlantic journeys. The text simply states that they sailed and traded for three years. The destination noted is the city of Ophir. There is no evidence whatsoever to connect Ophir with America.

Not only is there no textual documentation of these transatlantic journeys, but also there is no historical or archaeological evidence either. There are no artifacts to corroborate, nor traditions or folklore on either side of the Atlantic that can firmly attest to the transatlantic contact.<sup>295</sup>

Thirdly, no ancient Hebrew speaker would have ever mixed the scripts together as demonstrated in the Los Lunas Inscription. There would be no reason for him to do so. There are no outstanding examples of this kind of inscription anywhere in the epigraphic record. Additionally, no Hebrew would have made the mistakes in spelling as well as the misuse of consonants as vowels. These clearly show an author who was unfamiliar with the scripts he was writing. More than likely he was copying from another inscription, or writing from memory what he had seen and heard.

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<sup>294</sup>George Morehouse, 49.

<sup>295</sup>Kenneth Felder, *Encyclopedia of Dubious Archaeology: From Atlantis to the Walam Olum*. Santa Barbara: ABC-CLIO, 2010: 159-62.

Furthermore, the geological evidence falls apart after further review. The test that Morehouse conducted gave a possible time frame of 500-2000 years. This is a huge window. In other words, it could be modern or ancient! 500 years would put the inscription at around 1500 CE, after the arrival of Columbus. The opinion of geologists Pam Masau and Morgan Masau<sup>296</sup> indicate that the nature of the basalt on which the inscription is incised would most likely allow for complete erasure on account of weathering over the course of 2000 or more years. The orientation of the rock at a 30-40° angle could be accounted for within a 100-500 year time frame. The location of the rock at a natural drainage and the sandy subsurface could easily account for the erosion necessary to put the boulder in its current orientation. Additionally, the Los Lunas Inscription is located directly in the middle of a volcanic corridor running north to Albuquerque and south to Socorro. Fifty percent of all earthquakes in New Mexico with an intensity of six or greater (Modified Mercalli scale) that occurred between 1868 and 1973 occurred in this area.<sup>297</sup> Volcanic activity was responsible for dislodging the basalt boulder from its original location at the top of the mesa.<sup>298</sup> This kind of seismic activity certainly could certainly explain the present orientation of the boulder as well.

## Conclusions

There are many fantastic ideas surrounding the Los Lunas Inscription. No doubt it would make a great threequel to the Nicolas Cage “National Treasure” franchise. One author, Dixie Perkins, has even transliterated the text of the Los Lunas Inscription, not into Hebrew, but into Greek, and come up with an entirely different translation about a group of settlers in New Mexico!<sup>299</sup> This stone has certainly stirred the imagination of all who have stumbled upon it, investigated it, researched it, and translated it.

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<sup>296</sup>Personal email and phone conversations with Morgan Masau and Pam Morgan, November 2010.

<sup>297</sup>USGS. “Earthquake Hazards Program.” [on-line]. Accessed 5 November 10. Available from [http://earthquake.usgs.gov/earthquakes/states/new\\_mexico/history.php](http://earthquake.usgs.gov/earthquakes/states/new_mexico/history.php); Internet.

<sup>298</sup>George Morehouse, 47.

<sup>299</sup>Dixie L. Perkins, *The Meaning of the New Mexico Mystery Stone*, Albuquerque: Sun Publishing Co., 1979.

This author believes that the inscription is a modern one. More than likely a Sephardic Jew (Spanish Jew) who was a part of one of the early Spanish expeditions or later settlements found his way to New Mexico and incised the Los Lunas Inscription.<sup>300</sup> Indeed the history of the Hebrews in Spain goes way back to the time of Solomon. More than likely trade was being conducted with the western Mediterranean during the reign of Solomon. The ancient city of Tarshish that Jonah wanted to flee<sup>301</sup> to was located, more than likely, in Spain.<sup>302</sup> Paul desired to go to Spain<sup>303</sup>, and by some accounts did go to Spain, on a fourth missionary journey. Paul's desire to evangelize there would no doubt be stirred by the presence of a Jewish community.

By the time Christopher Columbus set sail on his historic voyage in 1492, the Spanish Inquisition, inaugurated by the same patrons of Columbus, Ferdinand and Isabella, was well underway. That same year, Ferdinand and Isabella had issued the Alhambra Decree, which called for the expulsion of all non-converted Jews from Spain.<sup>304</sup> The number of Jews who left Spain for other parts of Europe, Morocco, and the Americas is estimated upwards of 165,000.<sup>305</sup> Some "converted" to Christianity, the genuineness of those conversions, however, can be questioned. Thousands of Jews were killed and tens of thousands died trying to find a new homeland.

It is not a stretch to imagine a Sephardic Jew, hoping to escape the persecution of his homeland, finding his way upon the ships of Columbus, Cortez, Coronado, De Soto, Ponce de Leon, et al. during the fifteenth and sixteenth centuries CE; or even plausible that he came

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<sup>300</sup>I arrived at this conclusion independently, but professor emeritus Thomas F. McDaniel of The Eastern Baptist Theological Seminary in Pennsylvania has also come to this conclusion. See "[The Los Lunas, New Mexico, Decalogue Exodus 20:2-17 and Deuteronomy 5:6-21.](#)"

<sup>301</sup>Jonah 1:3 (NIV).

<sup>302</sup>M. G. Easton, *Easton's Bible Dictionary*, Oak Harbor, WA: Logos Research Systems, Inc., 1996.

<sup>303</sup>Romans 15:24 (NIV).

<sup>304</sup>Henry C. Lea, *A History of the Inquisition of Spain, 4 Volumes*, New York: Macmillan, 1907.

<sup>305</sup>"Jewish Virtual Library: Spain." [on-line]. Accessed 16 November 2010. Available from <http://jewishvirtuallibrary.org/jsource/vjw/spain1.html>; Internet.



over during the era of settlement and colonization during the sixteenth to eighteenth centuries CE. At some point, this Jew traveled past or settled near the Los Lunas Mountain. It would be easy to see him sitting at the top of the mesa, overlooking the wide-open, expansive valley before him and the rugged, mountainous terrain surrounding him, and thinking about his faith and his misfortunes. It would be easy for him to identify with Moses and how he had come from a land of persecution to a land of freedom, and had sat upon a mountain in a desolate wilderness and had inscribed the commands of God onto stone. It would not be a stretch to see him drawing his inspiration from the great prophet Moses and inscribing his own declaration of independence on this stone. He was free in this New World! He was free to worship God in his manner! Free to honor his God by remembering the Sabbath, honoring his parents, not establishing any idols, not stealing, etc. The Lord his God may not have “delivered him out from Egypt and the house of slavery,” but he certainly had delivered him from Spain and the bondage and persecution that he faced at the hands of the Spaniards.


This theory is bolstered by the relatively recent acknowledgment of a community of Crypto-Jews living in the American Southwest and in Northern Mexico. These people are essentially practicing Catholics that have some family religious traditions that are Jewish in nature, but not really having any understanding of Jewishness in their backgrounds.<sup>306</sup> Historical records tell us that the Spanish Inquisition came to the New World with the Spanish colonizers and was not discontinued in Mexico until 1821. By that time hundreds of Crypto-Jews had been executed or jailed. According to records of the Mexican Inquisition, Luis de Caravjal, the

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<sup>306</sup>David M. Gitlitz, *Secrecy and Deceit: The Religion of Crypto-Jews*, Jewish Publication Society, 1996. See also: <http://www.nationalgeographic.com/hidden-history/>; <http://gss.fiu.edu/about-us/journal-of-spanish-portuguese-and-italian-crypto-jews/>; <http://www.cabq.gov/humanrights/public-information-and-education/diversity-booklets/jewish-american-heritage/conversos-crypto-jews>; <http://www.jta.org/news/article/2009/05/18/1005191/so-you-think-youre-a-crypto-jew>; [http://www.cryptojew.org/main\\_page.html](http://www.cryptojew.org/main_page.html); <http://cryptojews.com/>; <http://www.nmjhs.org/crypto-jews.html>; <http://www.cryptojewsjournal.org/>; <http://articles.latimes.com/2012/nov/23/entertainment/la-ca-jc-ilan-stavans-20121125>;

governor of the province of Nuevo Leon (New Mexico), along with his mother and five sisters, were accused of being Crypto-Jews.<sup>307</sup> All were burned alive. Thus, it seems that the New World territories of Spain, including New Mexico, has a history of Jews attempting to escape the Spanish Inquisition, fleeing to America, and hiding their religious faith.

A diaspora Jew, living in Spain would certainly account for the less than orthodox use of the Hebrew script and it would explain the

use of an Iberian  in line five. His need to hide his identity as a Jew could explain his mixing of scripts. Hebrew had undergone a revival already in Europe, so writing it in modern Hebrew might give him away. However, not many people would know how to translate the ancient scripts. One may ask, “How did *he* know the ancient scripts?” That is a great question, and an answer can only be hypothesized. It has already been stated that the author of the inscription was more than likely copying or writing from memory. It is possible that he had memorized or was copying from a document that had been in his family’s possession for long time. This kind of document would have been quite valuable to him and certainly would have come with him as he fled his homeland. This conclusion was arrived at independently, but professor emeritus Thomas F. McDaniel of The Eastern Baptist Theological Seminary in Pennsylvania has also come to this conclusion.<sup>308</sup>

The following chronology of events explains the Los Lunas Inscription:

1. 500-10,000 years ago: eighty to one hundred ton boulder collapses from top of “Mystery Mountain” due to volcanic activity and lands in its present location, but not at its current orientation of 30-40°;
2. 250-500 years ago: Sephardic Jew, a part of Spanish conquest and colonization of New Mexico, inscribes Ten

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<sup>307</sup>C.K. Landis, *Carabajal the Jew: A Legend of Monterey*, Vineland, NJ: 1894. Also, Alfonso Toro, *La Familia Carvajal: Estudio historico sobre los judios y la Inquisicion de la Nueva Espana en el siglo XVI* (2 vols.), Mexico City: Patria, 1944.

<sup>308</sup>Thomas F. McDaniel, 3.

Commandments in multi-script inscription on surface of boulder;

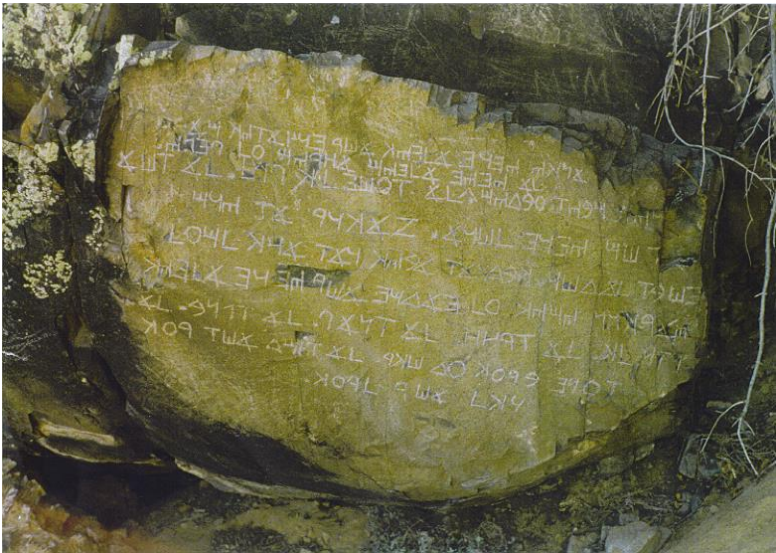
3. 250-80 years ago: Erosion, as well as seismic activity, modify orientation of boulder to its present orientation of 30-40°;
4. 250 years ago-present: Weathering due to rain and wind blown silt erode and smooth surface to varying degrees.

The Los Lunas Inscription is a tantalizing piece of epigraphic history. The possibilities are numerous, but the probabilities are limited. Is it possible that Solomon and Hiram conducted trade with the Americas 3000 years ago? Yes, it is possible. Is it possible that one of his sailors inscribed this rock after they traversed the Rio Grande and Rio Puerco rivers? Yes, it is possible. Is it possible that a nameless Phoenician sailor inscribed the rock just a mere 2000 years ago and is responsible for the inscription. Yes, it is possible.

However, all of these possibilities are overshadowed by epigraphic evidence, archaeological evidence, history, and reality which allows for only one true probability: this inscription is a modern invention, probably written by a “secretive” Spanish Jew who had come to America in a Spanish ship of conquest or colonization between 1550-1800 CE.

APPENDIX 1

Los Lunas Decalogue Stone



# APPENDIX 2

## Semitic Script Chart

English	Hebrew	Phoenician	Hebrew: Tel Dan	Moabite: Mesha	Los Lunas	Ancient Greek	Latin
'	א	𐤀	א א	א	𐤀	Α Β	ΑΛ
B	ב	𐤁	ב ב	ב	ב	Β Γ	B
G	ג	𐤂	ג	ג	ג	Γ Δ	G
D	ד	𐤃	ד ד	ד	ד	Δ Ε	D
H	ה	𐤄	ה ה	ה	ה	Ε Ζ	E L
W V	ו	𐤅	ו	ו	ו	Ζ Η	V
Z	ז	𐤆	ז	ז	ז	Η Θ	Z
Ch	ח	𐤇	ח ח	ח	ח	Θ Ι	H
T	ט	𐤈	ט	ט	ט	Ι Κ	
Y	י	𐤉	י י	י	י	Κ Λ	I J
K	כ	𐤊	כ כ	כ	כ	Λ Μ	K
L	ל	𐤋	ל ל	ל	ל	Μ Ν	L
M	מ	𐤌	מ מ	מ	מ	Ν Ξ	M
N	נ	𐤍	נ נ	נ	נ	Ξ Ο	N
S	ס	𐤎	ס ס	ס	ס	Ο Π	X
'	ע	𐤏	ע	ע	ע	Π Ϝ	O
P Ph	פ	𐤐	פ פ	פ	פ	ρ ϱ	P
Ts	צ	𐤑	צ צ	צ	צ	ϱ Ϻ	
Q	ק	𐤒	ק ק	ק	ק	Ϻ ϻ	Q
R	ר	𐤓	ר ר	ר	ר	ϻ ϼ	R
S Sh	ש	𐤔	ש	ש	ש	ϼ Ͻ	S
T	ת	𐤕	ת ת	ת	ת	Ͻ Ͽ	T

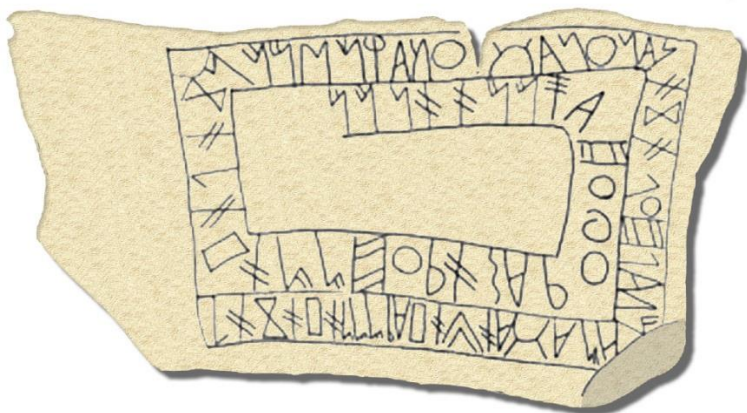
# APPENDIX 3

## Parallel Text of Los Lunas Decalogue Inscription and Masoretic Text Exodus 20

Verses	Los Lunas	Exodus 20
2	אנכי יהוה אלהיך אשר הוצאתיך מארץ מצרים מבית עבדים	אֲנִי יְהוָה אֱלֹהֶיךָ אֲשֶׁר הוֹצֵאתִיךָ מֵמִצְרַיִם מִבֵּית עֲבָדִים
3	לא יהיה אלהים אחרים על פהני	לֹא יִהְיֶה לְךָ אֱלֹהִים אֲחֵרִים עַל־פָּנַי
4	לא תעשה לך פסל	לֹא תַעֲשֶׂה לְךָ פֶסֶל...
5		
6		
7	לא תשא את שם יהוה לשוא	לֹא תִשָּׂא אֶת־שֵׁם־יְהוָה אֱלֹהֶיךָ לְשׁוּא...
8	זאכור את יום השבת לקדשו	זָכוֹר אֶת־יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ
9		
10		
11		
12	כבד את אביך ואת אמך למעל יארכון ימריך על האדמה אשר יהוה אלהיך נתן לך	כָּבֵד אֶת־אֲבִיךָ וְאֶת־אִמְךָ לְמַעַן יָאָרְכוֹן יָמֶיךָ עַל הָאֲדָמָה אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נָתַן לְךָ
13	לא תרצח	לֹא תִרְצַח
14	לא תנאף	לֹא תִנְאַף
15	לא תגנב	לֹא תִגְנֹב
16	לא תענה ברעך עד שקר	לֹא־תַעֲנֶה בְרֵעֲךָ עַד שָׁקֶר
17	לא תחמוד אשת רעך וכל אשר לרעך	...לֹא־תַחְמֹד אִשְׁתּוֹ רֵעֶךָ... וְכָל אֲשֶׁר לְרֵעֶךָ

## APPENDIX 4

Sudlusitanian Script: Stele J.18.1, Portugal<sup>309</sup>



<sup>309</sup> Jesus Ramos, "Iberian Epigraphy Page," [on-line] Accessed 26 February 2013, [http://webs.ono.com/documenta/ib13\\_en.htm](http://webs.ono.com/documenta/ib13_en.htm); Internet.

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