

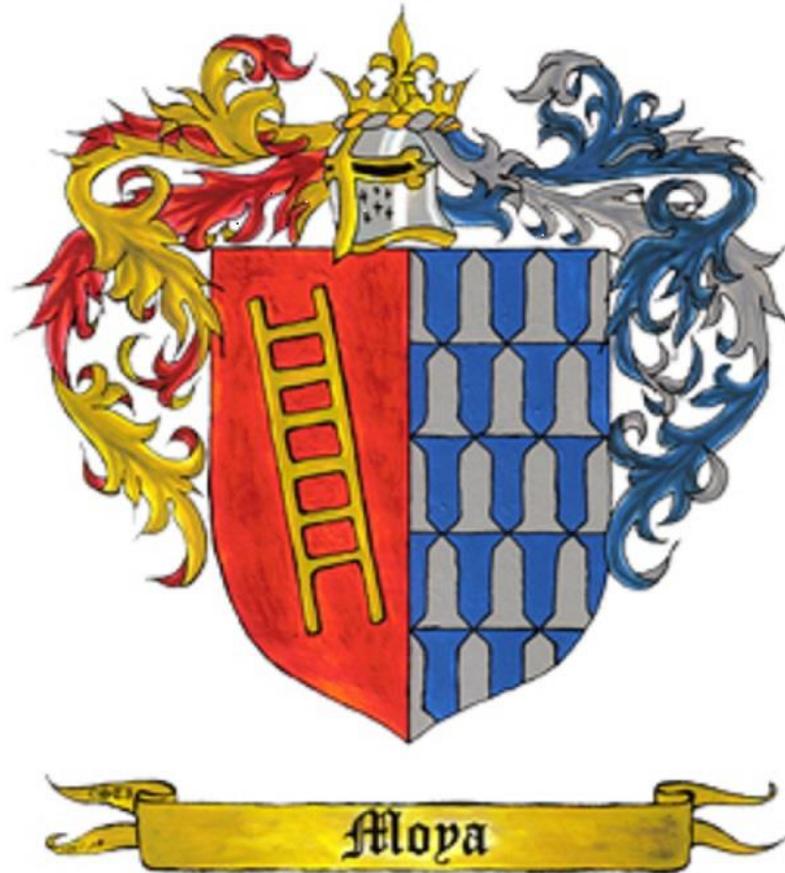
***450 Years of the Antonio Lucero Moya &
Emilia Aragon y Torres Moya Family History***

Part Two

***Antonio de Moya & Francisca Antonia Morales de Guijosa
Santa Fe, New Spain, in 1712***

to

***Antonio Moya & Maria de la Trinidad Gurulé
Tomé, Territory of New Mexico, in 1843***



Researched and Written
by
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Part Two 1712 – 1843

Part Two is taken primarily (and often directly) from two sources: The Spanish Recolonization of New Mexico: An Account of the Families Recruited at Mexico City in 1693 by José Antonio Esquibel and John B. Colligan and The Moya Family Records to New Spain, 1599 – 1600 in Herencia, April 2001)

Antonio de Moya, his wife and infant daughter, Maria, arrived in Santa Fe on June 23, 1694. The Moyas lived in Santa Fe and had a family of six children: María, Francisco, Pedro Antonio, Cayetano José, Lucas Miguel, and Juan Francisco.

Antonio de Moya was deceased by 1715 when his widow, who still lived in Santa Fe and used the name Francisca Antonia de Guijosa, petitioned for a tract of uncultivated and unsettled land in the valley of Taos that had formerly belonged to Bartolomé Romero, then deceased. On June 16, 1715, Governor Don Juan Ygnacio Flores Mogollon approved that the land be granted to her in the name of the king. Official possession of the land was made on September 20, 1715 by Juan de las Mora Pineda, who had worked out the boundaries with the Indians of Taos Pueblo. The following year, Francisca Antonia de Guijosa bought a house and land at Santa Cruz for 160 pesos from Juan Alonso de Mondragón. A deed of sale for this property is dated May 19, 1716.

By 1719, Francisca Antonia de Guijosa became acquainted with Andrés Jacome de la Paz, born circa 1687, who had come to Santa Cruz in 1717. Andrés and Francisca Antonia were married in Santa Cruz on August 19, 1719 and then moved to Santa Fe. In June of 1725, Francisca Antonia sold her royal land grant at Taos to Baltazar Trujillo for 50 pesos.

Francisca Antonia and Andrés were still residing in Santa Fe in 1750 and were enumerated in the census of that year as follows:

Andrés de la Paz; Francisca Morales; Juan Francisco de Moya; Pedro Antonio Moya; Lucas de Jesús Moya; 5 children.

It is interesting that in this 1750 census, Francisca is enumerated with the last name of Morales instead of Guijoso, which she had been using for thirty-five years. It is also interesting that Juan Francisco de Moya, who is most likely her adult son, is listed as living with her in Santa Fe while being missing from the listing of his family in Albuquerque (see section below regarding Juan Francisco, The Elder)

Pedro Antonio Moya and Lucas de Jesús Moya were grandsons of Francisca Antonia, being sons of Lucas Miguel de Moya and his first wife, Juana de Anaya Almazán. The other children of her household cannot be accounted for, since a search of the Santa Cruz and Santa Fe baptismal records revealed that Andrés and Francisca Antonia had no children baptized in either community. The five additional children could have been more grandchildren of Francisca Antonia or possibly adopted children.

Just a couple houses away, Cayetano José Moya is listed with his family. Cayetano was born circa 1705 as the fourth child of Antonio de Moya and Francisca Antonia Morales de Guijosa, eleven years after they arrived in Santa Fe. Cayetano first married in January, 1722 at the age of sixteen to twenty-five year old Gertrudis Sánchez de Oton, who was born circa 1697. She was the widow of Cristóbal Maese. Her parents were Felipe Sánchez Altamirano and Olaya de Oton. Within five years of their marriage, Gertrudis was deceased and was buried at Santa Fe.

Gertrudis Sánchez had a rather varied and wild life by the time of her marriage to youthful Cayetano Moya. From testimony at a prenuptial investigation hearing, it is found that her first husband, Cristóbal Maese, died in December, 1716. Only two months later, in February, 1717 she sought a new partner, Antonio Martín, 23, the son of Hernando Martín and Maria Montaña. Gertrudis stated she was 27 and living in Santa Fe. At the prenuptial hearing, Juan Martín, 23, volunteered testimony that he was the prospective groom's first cousin, and had had sexual relations with Gertrudis. Then Francisco Martin, Juan's father and the groom's uncle, testified that he had also had sexual relations with Gertrudis. This led the Father Custodia to declare that Gertrudis and Antonio should await a resolution to the case, which appears to have not been in their favor.

In July, 1717, Gertrudis was sought to be the wife of Bernardo Hernando Fernández, 45, a Santa Fe Presidio soldier who was widowed of Inés González de Zaldivar. At the prenuptial hearing for this proposed marriage, Gertrudis testified that she was 27, and had been a widow for seven or eight months, but the hearing was filled with wild accusations against her, thus preventing the marriage from taking place. Bernardo Madrid, a soldier, stated at the hearing that on his way from Las Salinas he had heard that Jose Antonio Fernández, the prospective groom's son, had already had illicit relations with Gertrudis. This son, age 21, then testified, admitting he had relations with her, and had them before she became a widow. He also stated that he had not so testified earlier as he feared his father. Gertrudis admitted to having relations with the intended groom since she became a widow the previous December, and for three months while she lived in the Fernández home. The church denied permission for the marriage, mainly based on her sexual relations with men who were related to one another. If the men she was involved with were not related she would have received permission to marry. This was why she was able to marry Cayetano Moya, regardless of the number of sexual partners she had had previously (he was not related to any of them).

In February or March, 1727 Cayetano José entered into his second marriage with Manuela de Armijo, born circa 1711 in Santa Fe. She was the daughter of José Duran de Armijo and Maria Manuela Velásquez. The diligencia for this marriage reads as follows:

Cayetano de Moya, native of Santa Fe, legitimate son of Antonio de Moya and Francesca Antonia de Morales de Guijosa married Manuela de Armijo, legitimate daughter of Joseph de Armijo. (Reel 62, Diligencias, 1727-1769)

Cayetano José and Manuela were still living in 1750 when they and their family were enumerated in the census of Santa Fe:

Cayetano Moia (Moya); Manuela Armijo; Juan Moia; Manuel Moia; Josseph Moia; 1 child.

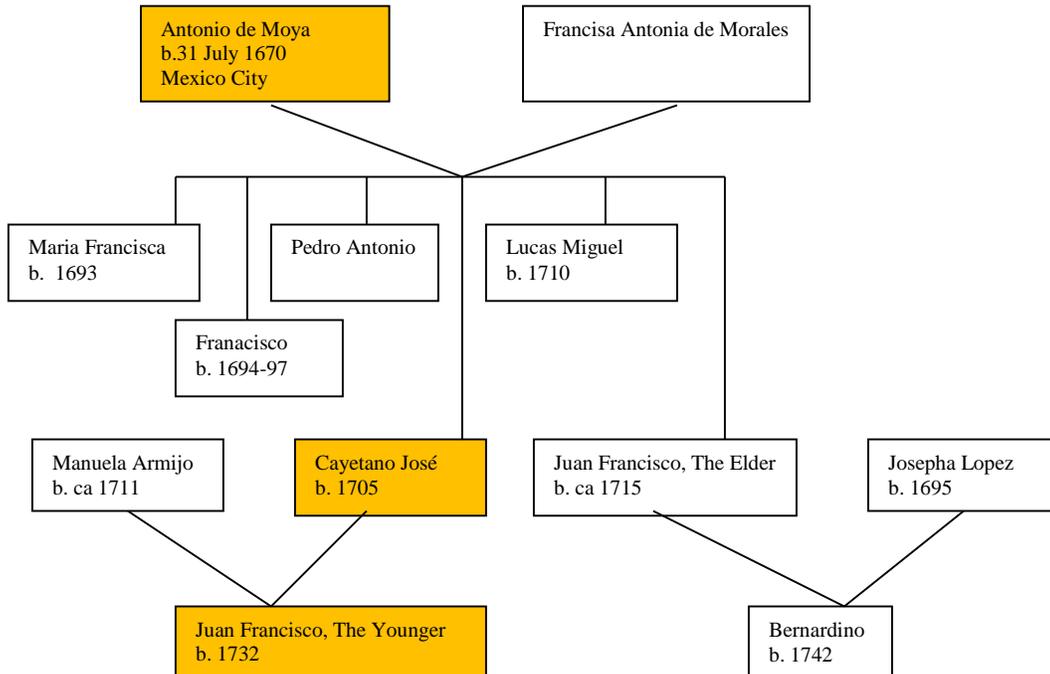
It is not certain if Juan, Manuel, and Josseph (José) were from Cayetano José's first or second marriage. However, since Juan Francisco was born in about 1732 and was the eldest child, it is assumed that all the children were from Cayetano's second marriage to Manuela de Armijo.

Cayetano's mother, Francisca Antonia de Guijosa died in Santa Fe on May 20th, 1758. A document dated May 26, 1758 stated that Francisca Antonia de Guijosa had recently died and named Lucas Miguel de Moya and his brother, Juan Francisco de Moya as her heirs. Juan Francisco was a resident of the villa of Albuquerque at that time and sold his half of his mother's property to his brother, Lucas Miguel.

In the mid-1700's there were two Juan Francisco Moyas living at the same time. One is the youngest son of Antonio de Moya and Francisca Antonia Morales de Guijosa. In later documents, this Juan Francisco was referred to as Juan Francisco, The Elder. The younger Juan Francisco was his nephew, the son of his brother, Cayetano.

Juan Francisco Moya, The Elder

Juan Francisco Moya (the elder) was the youngest son of Antonio de Moya and Francisca Antonia Morales de Guijosa, the original Moyas who arrived in Santa Fe in 1694 and were part of the recolonization of New Mexico. His next older brother, Lucas, was born in 1710, but there is no record of birth or baptism for this Juan Francisco. Juan Francisco Moya (the elder) also had an older brother named Cayetano José, who was born in 1705.



The elder Juan Francisco Moya married Josepha Lopes (b. 1695) in Santa Fe on December 28, 1734 and was a resident of Albuquerque. The 1750 census of Albuquerque contains the following:

Josepha Lopes, Spanish, 55, husband Juan Moya, a deserter, and 5 children. Three natural (illegitimate): Rufina 22, single with two children Manuela 10, and Salvador 8; Maria Francisca 11, Andrea 10, all legitimate; and Paulin 9, and Bernardino 8 yrs.

The word “deserter” that is used to describe this Juan Francisco Moya in the 1750 census might have meant that for some reason he simply was not present in the household at the time of the census. He was around, though, since he inherited half his mother’s property in Santa Fe when she, Francisca Antonia Morales de Guijosa, died in 1758 (his brother, Lucas, inherited the other half) and Juan Francisco sold his half to Lucas. It’s possible that he was actually living with or visiting his mother in Santa Fe at the time of the census since there is a Juan Francisco listed in that household.

Both Juan Francisco Moyas were among the original settlers of Carnuel, although one must have been considerably older than the other since he is listed as *el viejo*, the elder.

In 1763, the elder Juan Francisco Moya and his son, Bernardino, were among the original settlers of Carnuel. Carnuel was an unsettled area just east of Albuquerque, tucked into the mountains with a stream flowing through the canyon. There is some speculation that several of those who ultimately applied for the Carnuel Land Grant and became the original settlers at Carnuel had already been ranching in that area for some time. For, the San Felipe de Neri priest in Albuquerque wrote that prior to 1763 that he was already serving the residents there on a *visita*. So, it could also be that Juan Francisco was away from home ranching in the Carnuel area in 1750 when the census was taken.

When describing members of the household, the same 1750 census refers to Rufina (22 years old and single) and her two children. Rufina would have been born before the elder Juan Francisco and Josepha were married in 1734. So, it is likely that Rufina and her two children are the three that are referred to as being illegitimate. The other four, Maria, Andrea, Paulin and Bernardino are all born a year apart so they are probably all legitimate since there is no indication otherwise.

Josepha died prior to their son, Paulin’s wedding in 1760 according to Paulin’s marriage record. Therefore, Juan Francisco (the elder) would have gone to Carnuel in 1763 a widower.

There is no record of this Juan Francisco Moya after devastating Apache attacks caused the abandonment of Carnuel in 1770. In an article written by Frances Leon Swadesh Quintana, she mentions that Juan Francisco Moya, *el viejo*, died in Carnuel, even though no death record has been found (1980 Quintana and Kayser, p. 45-46) to confirm this. The belief that the Apaches killed this elder Juan Francisco Moya is supported by the fact that even though many survivors of the attacks attempted to resettle in Carnuel after the raids, his son, Bernardino, never returned.

Bernardino Moya

Bernardino was born in 1742 and was married to Maria Josefa Garcia de Noriega in Albuquerque in 1761. Bernardino and his new wife went to Carnuel with his father in 1763. They had a son, Francisco Antonio while they were in Carnuel. Bernardino and his wife fled from Carnuel after the Apache attacks in 1770 when many of their fellow townspeople were killed. There is no reference to Juan Francisco Moya (the elder), Bernardino's father, after Carnuel. It is distinctly possible that he was killed in the Indian attack of 1770, which is why Bernardino was not one of the ones who attempted to resettle Carnuel following the attack.

Even though some tried to resettle the village after the attacks, it was simply too dangerous. As a result, the entire village was abandoned and demolished in 1771. Bernardino eventually relocated his family to the Tomé area. His son, Francisco Antonio stayed in Tomé and many of the Moya's in the Tomé are decedents of Bernadino. This is often confusing, because one of his son's is named Juan Francisco Moya, named after Bernadino's father. Bernadino's younger son, Eusebio and his children were among the original petitioners and settled in the Chilili Land Grant in the early 1800's. There are still Moya's living in the Chilili and Manzano area.

Juan Francisco Moya (the younger)

Juan Francisco Moya (the younger) was the son of Cayetano José Moya and was born about 1732. We arrive at that birth date since he provided testimony in a Carnuel criminal investigation in 1768 and was listed as being 36 years old at that time. Although there are no marriage records, he would have married Luisa Duran in about 1758. They were married when they went to Carnuel in 1763 and the 1790 census lists their oldest daughter as being 30 years old. Although there are no birth records for Luisa, it is possible that she is the 19-year-old listed in the 1750 census of La Villa de San Philipe de Alburquerque:

Anna Sedilla, Mu (Mulata), 50, widow of Nicolas Duran, 3 children: Bisente, 22, Luisa 19, Juan de Duran 12.

(Next door was listed a Salvador Duran, L, 36)

In the 1750 census for Santa Fe, Cayetano was enumerated in Santa Fe with his wife and children, including Juan – making Juan 18 at the time.

In the 1790 census of Tome', this Juan Francisco Moya is listed as:

Juan Moya, Spanish, rancher, 60 years old, married to Luisa Duran, Mestiza, 65. Two daughters, one 30 and one 20 and an orphan, Spanish, 11, and a female servant, coyota, 18.

The elder Juan Francisco Moya could not be the same Juan that was listed in the 1790 census as being 60 years old, a rancher in Tomé. That would mean that this Juan was four years old when he married Josepha Lopes in 1734. It is the younger Juan (son of Cayetano), whose

first wife was Luisa Duran and second wife was Maria Margarita Chaves. This younger Juan's middle name, also Francisco, is documented twice in church records: once when he and Luisa witnessed a marriage in 1782 and again when they were godparents in 1753. These events were 30 years apart, so he must have used his middle name fairly consistently through his adulthood.

In 1763, Juan Francisco Moya (the younger), Cayetano's son, accompanied his uncle (Juan Francisco Moya (the elder) and cousin, Bernardino, to Carnuel.

the Pueblo Revolt of 1680. Other families had come with Vargas in search of a new life. They made easy targets along the Rio Grande, however, because they refused to heed orders to build their homes around defensible plazas. Instead they chose to reoccupy the scattered dwellings that had been built before 1680 so that they could be near their crops and livestock.

The survival of the villages in the Rio Abajo was of great concern because the settlers were under constant attack from all sides. Everywhere in New Mexico there was a shortage of arms and ammunition, and Santa Fe could offer little support in an emergency as they were too far away.

The Cañon de Carnué was attractive to potential settlers despite the risk of attack, however, because the land was fertile and had an ample supply of water available with the Arroyo de Tijeras flowing through it. In 1762 Governor Cachupin and the Alcalde of Albuquerque, Antonio Baca, already had a plan in mind when they were approached by nineteen families with a petition for a land grant at Carnué. If a successful settlement could be established there and fortified, they contemplated, it would act as a buffer for Albuquerque and the Rio Grande communities from the raiding Apaches and Comanches. Similar buffer communities had been formed in other areas of New Mexico, mostly with *genizaros*.

Genizaros are described as a population originated as captives of various tribal origins who were ransomed from nomadic tribes and placed as servants in the homes of settlers and missionaries. Such placement was for the purpose of winning them to the Catholic faith and adapting them to the colonial life-style. By the 1740's, Genizaros began to acquire town grants of their own, on condition that they settle the access routes used by nomadic Indians to raid colonial settlements, and that they provide militia service.

On February 6, 1763 Governor Cachupin approved the land grant and stated that it was "desirable that it should be settled and extension given to the settlements of this Kingdom to relieve its settlers as the barbarous nations which surround it are being pacified and removed in conformity with the royal intention of His Majesty."

Governor Cachupin ordered that the land grant was to be "only of agricultural lands" and that each settler was to be given enough land to produce "half a *fanega* of corn and three of wheat." One *fanega* is roughly equivalent to about 1.5 to 2.5 bushels. The settlers were to be given possession of their individual house lots and farming areas, but the remaining land and its resources including water, forests, and grazing pastures, were to be shared by all.

Alcalde Baca allocated land to the settlers and stated that he chose the area of the plaza to be "on the land which is most convenient for them in the form of a square, giving to each one that which he could easily cultivate according to his individual ability, to the one who could do at least 30 Castillian *varas* square, and to the one who could do more, it was left to his decision."

Several records confirm that among the settlers there were five known *genizaros*, at least four *coyotes*, and eleven men recorded as *español*. The Spanish traditionally occupied positions of privilege and power in New Mexico society, with the *genizaros* often designated to a much lower level of status. It may have been that the allotments were distributed according to class

and ethnic designation, rather than actual “individual ability” as Baca states. It is of interest to note that the largest families were Spanish, and this may also have been a factor in deciding the distribution. In any case, this even sheds some light on the conflicting relations, which began to form among the families of Carnué.

Although nineteen names appear in the grant of the petition, more than that number settled in Carnué as revealed in later documents. Three principal archival documents, besides church records were used as sources to determine the names of the original settlers and subsequent residents of Carnué between 1763 and 1771. Those documents are as follows:

1. The Order of Governor Cachupin dated February 6, 1763, which established the land grant and names nineteen petitioners, all of whom were married except Joseph Antonio Baca.
2. A series of documents prepared in February of 1768 regarding a cattle theft investigation by Albuquerque Alcalde Francisco Trebol Navarro.
3. Petition for Abandonment of Carnué signed on April 10, 1771 by fourteen men (although the document refers to thirteen men).

Among the nineteen names that appear in the original petition are:

Juan Moya el Viejo
Bernardino Moya
Juan Moya

Among the families at Carnué, at least fifteen members were married between 1763 and 1771. These were primarily between the sons and daughters of the settlers marrying each other, but at least 3 of them were settlers themselves. Between 1763 and 1771, thirty-three babies were born, and mortality among children was high, with most families losing at least one child. At least eighteen members died during those years, with the majority being women and children, and with the majority of deaths occurring after 1765. It is likely, although speculative, that the settlers were raided more than once at Carnué, and it is also likely that crops failed or food and animals were stolen, because by the end of the decade several families were hungry. The average age of the settlers was between 30 and 40, but there were many young families, most with children between 5 and 15 years of age.

The Investigation

Out of hunger and desperation, a number of crimes began to occur at Carnué by the end of the 1760's. One incident involved Apache *genizaro* Bartolo Anzures, who had “found” an ox on *el llano*, the open plain that is the city of Albuquerque today, which belonged to Martin de Apodaca. Bartolo took it home and slaughtered it. A couple of other thefts involved Francisco Garcia and Gregorio Montoya, both *genizaros*, who on two separate occasions were seen herding stolen cattle into Carnué where they were subsequently given to other settlers and slaughtered. All of these crimes occurred in the Spring of 1767, but they were not reported to the Alcalde of Albuquerque, Francisco Trebol Navarro, until 1768.

Once he learned of the thefts, Navarro launched a documented investigation that revealed several details about the residents of Carnué. He was thorough in interviewing everyone involved. Each declarant brought before him stated their age, place of residence, and what they witnessed or failed to witness. In their comments about each other, the settlers confirmed some family relationships. They also revealed how divided the small community had become.

On February 9, 1768, Pedro Crisostomo Ulibarri went to see Alcalde Navarro to make a declaration. Pedro said that on Holy Saturday of 1767, he saw Francisco Garcia and Gregorio Montoya herding eight stolen cattle, which they then slaughtered, on the mountain next to the plaza. Garcia and Montoya divided the herd by giving two cows to Bernardino Moya because he had lent them a horse for the expedition. They gave one to the *Teniente* Cristobal Jaramillo (raising the suspicion of bribery), and another to Juan Moya (the younger). Of the four cows remaining, they sold three and the fourth they split between themselves.

The only motive Pedro Crisostomo gave for reporting the crimes was to see justice done, but he did not hide his contempt for Montoya and Garcia. He described them as having “*fama de ladrones cosarios*”, i.e. having the reputation of being accused thieves. He further implicated the involvement of *Teniente* Cristobal Jaramillo, and he incriminated the Molina and Moya families as being accomplices and benefactors of the crimes.

Feliciano Hurtado, *coyote*, more than 40 years old, gave his testimony in San Isidro on February 9, 1768. He said that he saw Garcia and Montoya on the mountain next to the plaza with four dead and two live cows and that the day before they had killed another. He said that it was public knowledge that on the same day Juan Moya had killed another cow that had been given to him by Garcia and Montoya, and that this accounted for the eight cows. Another memory he recalled was that Bernardino Moya had lent a horse to the men so that they could make the trip and bring back the stolen cows.

On February 12, 1768, Navarro issued an order for the arrest of Gregorio Montoya, Francisco Garcia, Bartolo Anzures, and for Bernardino Moya as an accomplice. He commissioned the *Teniente* of Albuquerque, and the *Teniente* of Carnué, Cristobal Jarmillo, to carry out his order. The next day Garcia, Montoya, and Moya were arrested and held in a jail at the Isleta Pueblo. Each gave declarations denying Crisostomo’s entire story.

On February 19, 1768, Bartolo Anzures, explained what happened regarding a stolen ox he was accused of stealing. He said that in 1767 he and his family were starving and that the recently declared moratorium prevented him from hunting. He didn’t want to slaughter his pregnant cow, so he went out on *el llano* to look for food and found an ox, which he believed belonged to Indians from Sandia pueblo. He took the ox with the intention of paying for it later, and slaughtered it to feed his family. Church and census records reveal that he had at least eight children with his *coyote* wife, Francisca de la Cruz Moya.

On February 22, 1768, Navarro asked the *Teniente* Cristobal Jarmillo and Juan Moya to explain the cows that they had been given. Since there was no evidence that Jarmillo had paid for the cows, this raised the suspicion of bribery. Cristobal Jarmillo stated that Crisostomo had given false testimony. Juan Moya, 36 years old, appeared on the same day and also declared that

Pedro Crisostomo had given false testimony. He denied ever receiving a cow and he denied ever having any dealings with the men that Crisostomo referred to.

While at Carnué, Navarro decided to seize the goods of Montoya, Garcia, Moya and Anzures. He enlisted the sons of Joseph Miguel de Molina, Pedro and Antonio, to testify as to the inventory of goods. Bernardino Moya had the most possessions, among them, a bull, twelve sacks of corn, a musket, and some gunpowder. Navarro found that Anzures had none.

Alcalde Navarro left Carnué and went to Isleta to re-interview Garcia, Montoya, and Moya. After presenting the evidence he had discovered, Garcia and Montoya confessed. They declared that they had been ordered by the *Teniente* Cristobal Jaramillo, Juan Antonio Jaramillo, and Joseph Miguel de Molina to go to the Zia pueblo to steal the cattle. Bernardino Moya helped by lending them a horse so that they could bring the cattle back to Carnué. The villagers must have been in dire need of food for the *Teniente* to give an order for them to steal. Despite the criminality of their actions, Garcia and Montoya may have actually extended the lives of the Carnué settlers by providing the dozen cows that were consumed that year.

Navarro suspended the proceedings against Rafael Montoya and Bartolo Anzures. He submitted his analysis of the case to Governor Fermin de Mendinueta for recommendations. In the end it was decided that there was not enough evidence to convict the Jaramillos, nor Molina, and that despite evidence of Bernardino Moya's involvement, he was allowed to go free. Instead, Francisco Garcia and Gregorio Montoya were found guilty and sentenced to hard labor until they made restitution to the Zia pueblo.

The Raid

In October of 1770, an unknown band of Apaches raided the small plaza of Carnué, causing the occupants to flee to Albuquerque. A document concerning the land grant state that there were casualties among the settlers, but their place of burial is unknown. No death or burial records at the San Felipe de Neri Church in Albuquerque were found for the fall of 1770 for the citizens of Carnué except for a small child, Francisco Baca.. Despite the fact that specific deaths of the settlers and their families at the hands of the Apaches on October 1770 cannot be confirmed, the survivors can easily be determined through other records dated after 1771.

On April 8, 1771 thirteen men returned to Carnué without their families. With only nine of them carrying arms it became apparent that little could be done to defend, much less rebuild the plaza. In the evening of April 10th they returned to Albuquerque hungry and defeated. Their desperation and frustration was evident when they sat down that night to write a petition to the Governor asking for permission to abandon the land grant. Fourteen men signed the petition, eleven of whom were named as petitioners on the granting document of 1763, or were added to that document. The settlers obviously understood the consequences of their request, but they found their situation impossible. The Apache domination of the canyon created too great a risk to return, they said, and they could not face this "perilous situation" because they lacked food, arms and sufficient men. Juan de Molla was the last of the fourteen men to sign the petition on the night of April 10, 1771.

With the recent criminal investigation still fresh in his memory, Governor Mendinueta's disappointment was evident when he responded on April 12, 1771. What the settlers lacked he said, was strength in character. He accused them of exaggerating the risk, and scolded them for their laziness, pointing out that in all the eight years that they had lived in Carnué they had failed to complete the plaza as ordered. It was his will that the settlement be re-established, and if those chosen lacked the courage and strength to comply, then he would find others to do it. He ordered the Alcalde of Albuquerque to recruit a number of *genizaros* from the town of Rio Puerco who had no lands of their own, and persuade them to accompany the original settlers back to Carnué. He reinforced his order by providing additional weapons and supplies. He also gave the Alcalde the authority to give land in Carnué to anyone who was willing to join the men. He warned the settlers that if they did not immediately resettle Carnué, they would forfeit their lands and never be permitted to live there nor plant crops there. They would be forced to return to their place of origin, or to find work in nearby town, but under no circumstances were they to wander about the country like vagrants.

On April 24, 1771, the Alcalde of Albuquerque, Francisco Trebol Navarro, held a meeting with the original settlers and a group of *genizaros* from Rio Puerco. He relayed the Governor's offer to the *genizaros*, and attempted to persuade the original settlers to resettle Carnué, informing them of the consequences if they did not. The promise of land in the canyon, however, was not enough to move the *genizaros*. They had heard what happened to the settlers, and they decided to decline the Governor's offer and return to their harsh life in Rio Puerco. The settlers also remained unconvinced that they could make a successful life in Carnué, even with the Governor's reinforcements.

On May 27, 1771, Alcalde Navarro recorded the final act of the Carnué land grant: *I, the said Chief Alcalde, being present at the royal buildings of the said town (Albuquerque), together with the former resident settlers of Carnuel went to the said settlement. Having arrived, I ordered them to demolish each one his part of the houses. Their residences were then left in ruins on the ground. The residents were notified that each one should return to his former place where they had lived before making the settlement. They agreed to do so.*

The settlers returned to Albuquerque and its surrounding communities with their families.

TOMÉ

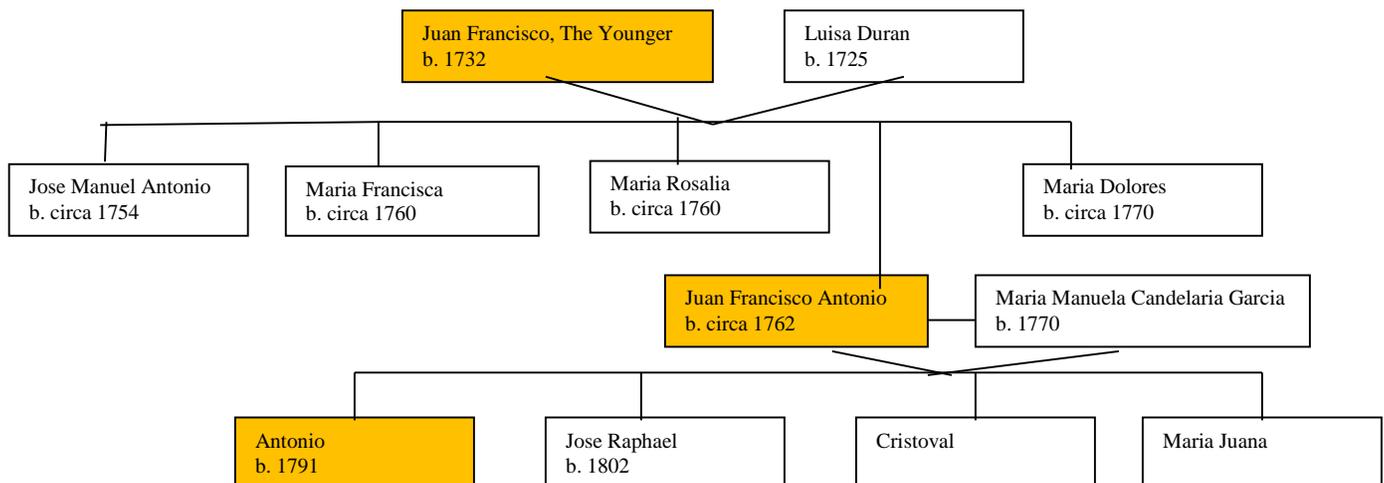
After abandoning Carnuel, the families of both Juan Francisco (the younger) and Bernardino had to find somewhere to settle. As farmers and ranchers, most families from Carnuel scattered and settled in small communities surrounding Albuquerque. Records are sketchy, but we know from birth and marriage records that even though Bernardino and his family eventually settled in San Fernandez de los Silvas, just north of the Tomé Plaza, he originally went to a small community in what is now referred to as the “south valley” of Albuquerque, San Carlos de Alameda.

Based on baptismal records, it is possible that the Moya family had ties with Alameda (and perhaps even Tomé) before going to Carnuel. For, in baptismal records from San Felipi de Neri church in Albuquerque, where all records were kept for surrounding communities, in 1758 Juan Francisco (the younger) and Luisa Duran were the Godparents of a child, Petrona Rosalia Garcia, from Alameda.

Some of Bernadino’s children married into families in Alameda and their families continued to live there after he moved to San Fernandez. Descendents of one of his sons, Eusebio, settled the Chilili land grant east of the Manzano Mountains in the early 1800’s.

By the 1780’s, when both Juan Francisco and Bernardino and their families are living in the Tomé area, it becomes confusing to sort out who belongs to whom since many of their descendents have similar (if not identical) names. For example, both Juan Francisco and Bernardino have sons named Francisco Antonio. They were both born within a year of each other while the two families were in, or about to go to, Carnuel. Then, to make it even more confusing, both Francisco Antonios had sons named Antonio.

Because only the decendents of the younger Juan Francisco, the son of Cayetano, are my (Tony’s) direct ancestors, they are described below (as highlighted) and in subsequent chapters.



Juan Francisco Moya (the younger)

After Carnuel was abandoned in 1771, Juan Francisco Moya and his wife, Luisa Duran settled in Tomé. There are two documents recorded at the Tomé church that support this. In 1782 they baptized a little girl named Maria Antonia Marquez. And, in 1783 they baptized another little girl named Antonia de los Dolores Jaramillo. Although there are no birth records for any of their children, marriage, death, census, and other documents of the time indicate that they had three daughters and two sons:

José Manuel Antonio Moya, born approximately 1754
Maria Francisca Moya, born approximately 1760
Juan Francisco Antonio Moya, born approximately 1762
Maria Rosalia Moya, born approximately 1762
Maria Dolores Moya, born approximately 1770

In the 1790 census of the Plaza de Tomé, Juan Francisco Moya is listed as Juan Moya, Spanish, a 60-year-old rancher married to Luisa Duran. She is listed as being Mexican, 65. They had two daughters living at home, one who was 30 (born about 1760) and another who was 20 (born about 1770). There also is listed one male orphan, Spanish, who was 11 and one female servant, Coyota, 18. Juan Francisco and Luisa must have been active in the church, since they were godparents of many and gave the name Moya at baptism to a Christoval. (It is possible that this Christoval was raised as part of the family since one of Juan Francisco and Luisa's grandsons was named Christoval – see ancestry chart above.)

In the 1790 Census, Juan Francisco Moya is listing number 398.

(Note: The number given to a household in this census is important since the census-taker went door-to-door listing neighbors in numerical order. Since most families lived in extended-family compounds, the proximity of households substantiates relationships.)

Listed at number 396 in the census is Juan Francisco's son, Juan Francisco Antonio Moya, Mestizo, a 28-year-old (b.1762) *patron*, married to 20-year-old Maria Manuela Candelaria, Spanish. They had a 1-year-old son and one daughter, who was 4. Also listed in the same household is his widowed mother-in-law, Spanish, who was 60.

Listed between the house of Juan Francisco, his father, and Francisco Antonio is Jacinto Torres, Spanish, 32, a weaver: who was married to Maria Xaviera Perea, M, 35. They were listed with one son who was eleven. Also listed in the household was Luisa Zamora, Spanish, his widowed mother-in-law, 63.

Directly on the other side of Juan Francisco and Luisa, listed at number 399 is another son, Manuel Moya, Mestizo, 36-year-old (b. 1754) rancher. He was married to Monica Perea, Mestizo, 35-years-old. At the time of the census in 1790, they had one son, 2, and four daughters, 10, 8, 6, and 4. Manuel's wife, Monica Perea was a sister of Jacinto's wife, Maria Xaviera. Monica and Maria Xaviera's widowed mother lived with Jacinto and Maria.

So, the 1790 Census indicates that Juan Francisco Moya and his wife, Luisa Duran lived with two daughters in the same household. Their two sons and their families lived on either side of them. The sister of Manuel's wife and her family lived in the family compound as well.

Bernardino, who had settled nearby in San Fernandez de los Silvas, was listed in the 1790 census as number 332.

Luisa died in 1791. Juan Francisco then married Margarita Chavez on March 20th, 1793. She was the daughter of Angel Chavez and Feliciano Gallegos. They had two children: one son, Jose Manuel Antonio and a daughter, Ana Maria.

Juan Francisco's death records were either lost or burned, since ten years of records were lost in a fire at the Tomé church. It is estimated that Juan Francisco died in about 1800 at the age of 70.

Margarita died in Tome on August 21st, 1821.

Juan Francisco Antonio Moya

Although there are no birth records for Juan Francisco Antonio, we can assume that he is the son of Juan Francisco and Luisa Duran since he was living in Tomé next to his parents and Manuel, his brother. He is named after his father and he is listed as being Mestizo (as is his brother, see above), confirming their father being Spanish and their mother being Mexican.

Court records in Belen document that Juan Francisco Antonio and his brother, José Manuel, were involved in a court case between July, 1791 and April 2, 1792. The incident that they are accused of would have occurred about the same time that their mother, Luisa Duran, passed away. No charges or resolution of the charges are recorded.

Court records of Don Miguel Baca, a judge in Belen:

Last year, in the month of September, I experienced a loss of 80 rams. Through finding out what might have happened, I have learned from Lorenzo Carillo, who had been at the ranch of Juan Moya, that his flock had many rams with fresh brands that had recently been changed. I heard the same story from another man, Antonio Barrellas. Also, Baltazar Chavez informed me that the son of Juan Moya, the one that is in charge of his flock, told Baltazar that my foreman had sold him six rams for some hides. And he also saw two dead rams, also with brands that had been freshly changed. I then asked my mayordomo if he had sold any rams to Juan Moya and he said that he hadn't. Santiago Salazar also told me that he had been at Juan Moya's pasture and saw lots of rams there that had changed brands. He also told me that he saw a lot of unmarked sheep. Being as it is, the rams that I lost were with sheep that hadn't been branded. Furthermore, my friend Miguel Lucero told me that the son of Juan Moya had sold to his uncle, Bernardino Moya, six rams that had newly changed brands. In summary, I have heard that when Manuel brought his flock down from the mountains to the pastures of Juan Moya, the flock included his own brands as well as different brands. All these men know

Manuel, the son of Juan Moya, and that he has always been the manager of his father's ranch. He now has caused me great damage.

Manuel Baca
July 1791

In the 1790 Census, Juan Francisco Antonio's sister, Maria Rosalia, who had married Juan Andres Mirabal, was also listed. Maria Rosalia and Juan Andres Mirabal are listed as living not too far from Bernardino in San Fernandez.

Juan Francisco Antonio's half-sister, Anna Maria, born to Juan Francisco (the younger) and his second wife Margarita Chavez, married Anastacio Mirabal. Anastacio was the brother of Juan Andres. So, two Moya half-sisters married two Mirabal brothers. (Anastacio and Anna Maria lived just to the north of the Moyas. Part of their property is where Dan and Stella (Moya) DeBaca live today. As described later, the Mirabal property was purchased by Jorge Lucero and ultimately became the property of the Moyas.)

Antonio Moya

Antonio was born in Tomé in 1791 to Juan Francisco Antonio Moya and Maria Manuela Candelaria (Garcia). He had one sister, Juana, and two brothers, Cristoval and Jose Rafael. On October 20, 1831 he got married to Trinidad Gurule from Los Enlames (Tomé). He was twice as old as she was when they got married; he was 40 and she was 20. As far as we know, it was the first marriage for both of them.

Antonio and Trinidad had four children, Marcelino, Maria Quirina, Juan Maria Teofilo, and Maria Estefania de Jesus.

When researching the Moya family history, Antonio was a mystery for many years. He was listed with his family in the 1840 Tome census, but was nowhere to be found after that. There were no more children born to Antonio and his wife and mysteriously, no death record. In the 1850 Tomé census, his wife and children were listed, but not him. What happened to him?

It's as if he just disappeared.

Interestingly, while going through Mexican Archival court records for the mid-1800's there was a court case regarding the murder of an Antonio Moya in 1843. Could this be him? But, if it was, why wasn't there a burial record in Tomé at that time?

After looking up the court record, it was found that Antonio had been murdered while in San Miguel del Bado on October 26, 1843.

The following is a translation of the depositions taken following the murder of Antonio Moya that was translated by J. Richard Salazar in March of 2006.

Mexican Archives of New Mexico
Judicial Proceedings
Jusgado of Bado (San Miguel del Bado)
October 27, 1843 – February 28, 1844

Proceedings involving the murder of Antonio Moya, resident of Tome.

Proceedings held before the Juez de Paz, Santiago Ulibarri.

There appeared the citizen Julio Garcia at 10:00 o'clock at night saying that a man (Antonio Moya) had been killed at the house of his father-in-law, Ramon Lopez. Ulibarri then went to the house where the crime had been committed to take depositions of the account. Arriving at the scene, Ulibarri found that the dead man had a mortal wound on the left side of his body where it had punctured his heart.

Statements were then taken by Ulibarri from two residents of Bado, Nepomuceno Archuleta and Jose Miguel Sanchez. They had examined the body of the deceased and had agreed that the death came about due to a puncture wound that penetrated into the heart, and was made by a sharp object.

A deposition was then given by Manuel Sena, who stated that death came about at the house of Ramon Lopez, where a dance was being held, and that the individual who killed Moya was the Alferez (Ensign) Lara, (Sena did not know his first name), who was a member of the Regiment of Dragoons stationed at San Miguel del Bado. Sena stated that he was at the house of Ramon Lopez when Moya entered the house mortally wounded, telling Sena that Lara had stabbed him with his sword, then took three steps and fell dead. When asked if he knew the motive for the stabbing, Sena reported that he did not. Sena also stated that Lara was accompanied by another soldier, but did not know his name. End of Sena declaration..

The next witness brought forth was Miguel Guadalupe Baca, who gave basically the same answers as Sena above. Stating that he was at the house of Ramon Lopez when Moya entered the house mortally wounded, stated that Lara had done him in, took two or three steps and fell dead. Baca stated that was all he knew. End of Baca declaration.

The next declaration was given by Felis Montoya, who stated that he was 38 years of age and had lived at San Miguel for ten years. Montoya's testimony was the same as the others, saying that Moya was killed by Lara, who stabbed Moya with his sword. Montoya did add that Moya had approached Lara, given him a peso in friendship and told him to spend it at the dance, to give it to some lady to dance the panaderos (baker's dance) and not to be insulted about taking the money, telling him that he had money. Montoya said this was all he knew. End of Montoya statement.

Juez de Paz Santiago Ulibarri then proceeded to the jail where the Alferez Manuel de Lara was being held to take his deposition.

Ulibarri asked him to state his name, status, age occupation and his residency. He stated that his name was Manuel Garcia de Lara, was single, 19 years of age, and that he was the Alferes of the 2nd Regiment of Cavalry, and was a resident of Mexico.

He was then asked where he was on the night of the 26th of the present month. Lara responded that he was at the house of a shoemaker, did not know his name, and that at 8:30 at night he left and close to the church he met an old friend (Moya) who asked him if there was a fandango anywhere, and that he, Lara, took him to the dance, where they stayed conversing, where Moya told Lara that he would give him one peso to give to a lady to dance the panadero (baker's dance) with him (Lara), and would give him another peso when the dance was over. After the dance began they both danced and when the particular dance was over Moya and Lara both sat down and began to talk about a girlfriend that Lara had at Los Peraltas. Shortly after that there was a loud commotion in the dance hall after which Moya and another individual went outside to drink alcohol. After this they returned to the dance, and shortly after Moya grabbed his sarape and his hat and left the dance.

Lara was then asked if the deceased was fine after they left the dance, to which he answered that Moya was doing good at that time.

Asked if he knew anything else about the death of Moya, Lara stated that he did not. End of Lara statement.

The statement of the soldier Pedro Roxas was then taken, but he did not bring forth much information. He did state that he had heard that Lara had killed Moya.

The interrogations thus being concluded by the Juez de Paz, Santiago Ulibarri, he submitted his findings to Governor Manuel Armijo on October 28, 1843.

On December 14, 1843, Pedro Munoz, the Commander of the Regiment of Cavalry stationed at San Miguel del Bado submitted the proceedings (which he had somehow gotten back) of the investigation by Ulibarri to the Comandante General Mariano Martinez, for his disposition. Martinez then passed the matter on to Juan Andres Archuleta, Prefect of the Northern Jurisdiction, who excused himself from the case, and then it was passed on to the Captain Damaso Salazar of San Miguel del Bado on December 28, 1843, for further depositions.

Captain Damaso Salazar then began the investigation once again.

Statement of Ramon Lopez.

Ramon Lopez was asked where he was on the night of October 26th. He stated that he was at his home, where there had been a dance that was done by Geronimo Baca with a license from the Judge of the area. He was then asked if he was present when Antonio Moya, a resident of Tome who was passing through the area, was killed, and if he was, who was the one who killed him? He stated that he was not present at the moment because he was not in the house, and when he returned, the terrible incident had already occurred. He was asked if he saw or knew by others who had killed the said Moya, and also if he knew that there was any fight at the

dance, and if there was if that was the cause of the death? He stated that he did not see who killed Moya, but was told by Manuel Sena and by Geronimo Baca that the Alferez Manuel Garcia de Lara was the one who had killed him; and that at the dance there had not been any fights, nor before the killing. He was asked if the deceased Moya had any conflict with the Alferez Lara before he died? He stated that he did not know because he was not present at the dance. He was asked if he knew what Moya was killed with, and he stated that he had seen the wound and that it was made by a sword, as the wound was large. He then stated that was all he knew.

The next person questioned was Julio Garcia, who stated that he was 22 years of age, married, a farmer, and a resident of the area. Garcia had nothing new to add, stating basically what all the others had said.

The next person who gave his statement was Manuel Sena, who stated that he was 40 years of age, married, and a resident of the area. Sena said that his son, Francisco Sena, was present and saw that the Alferez Lara had mortally wounded the deceased Antonio Moya outside the dancehall and that after Lara committed the crime, he and another soldier fled the scene. That was all that Manuel Sena stated.

Francisco Sena was next to be questioned. He stated that he was 19 years of age, single, a herder, and a resident of the area. He stated that he was present at the dance and while standing at the door to the dance he noticed that the Alferez Lara called another soldier over and together they left the dancehall and he overheard Lara tell the other soldier how Antonio Moya had insulted him, and the other soldier said that he had noticed how Moya had insulted him. Lara then ordered the soldier to call Moya outside from the dancehall, which the soldier did as he was ordered. When Moya came outside, Lara told Moya that he had insulted him, pulled his sword and stuck it in his chest, then both Lara and the soldier fled the scene. Sena stated that he did not know if there had been an argument before the murder occurred. He then stated that was all he knew.

The next person questioned was Miguel Geronimo Baca, but nothing new was added.

The interrogatories having been concluded, Captain Damaso Salazar turned the proceedings over to Mariano Martinez, the Comandante General of New Mexico.

The case continued on, Ensign Manuel Garcia de Lara remained in jail, was given an attorney to represent him, but the outcome of the case is unknown since this case file does not include the trial of Lara.

Antonio Moya was buried in San Miguel del Bado and his death record states that he was not given last rites because he was murdered.

This murder was one of the most notorious murders of the mid-1800's. Additional information about the murder of Antonio Moya and the murder investigation is provided in the book, **Murder and Justice in Frontier New Mexico 1821-1846** by Jill Mocho. The book was written in 1997 and was published by the University of New Mexico Press. An entire chapter (Chapter 9, A Matter of Honor) is dedicated to the Antonio Moya murder. Portions of the chapter are quoted below:

San Miguel del Bado was a frontier settlement on the eastern edge of New Mexico, the first of any size encountered by travelers on the Santa Fe Trail...

One Friday night in late October 1843, young Manuel Garcia de Lara, an officer with the Second Regimental Cavalry in San Miguel del Bado, was out on the town looking for some excitement. Garcia de Lara was an alferaz, a field-grade officer in the army ranked somewhere between second lieutenant and colonel. Alferaz Lara, perhaps in the market for a new pair of boots, left the shoemaker's house at about half past eight that evening....There, in the vicinity of San Miguel's church, he encountered a civilian with whom he struck up a conversation.

The civilian's name was Antonio Moya, and he was from Tomé where he worked as a servant for Don Antonio Jose Otero, a sheep baron, merchant and one of the wealthiest citizens of New Mexico. Although Moya was not from Bado, he had local friends and acquaintances, and he offered to accompany the officer to a fandango at the house of Ramon Lopez.

The two made their way to the dance where they were seen chatting amiably. Within a few short hours and just minutes before his death, Antonio Moya would accuse Alferaz Lara of stabbing him through the heart.

Julio Garcia, Ramon Lopez's 22-year-old son-in-law, was present at the baile at Lopez's home. He saw Moya come in from outside, cry out that Alferaz Lara had stabbed him, and slump over dead. Garcia was stunned. He turned and ran from the house to notify the authorities.

The justice, Santiago Ulibarri, went immediately to the Lopez home where he found a man's body lying on the floor, his clothing drenched with blood from a stab wound near the heart. Those who were present informed him that this was Antonio Moya, a resident of Tomé. The man was not breathing and did not respond to questioning; Ulibarri pronounced him dead...

Once the burial arrangements had been seen to, the Juez began taking the testimonies of those who were present at the baile and who might have information about the murder. The first witness was Manuel Sena...who saw Moya moments before he died. Like most of those questioned in this case, he did not actually witness the crime. Sena saw Moya stagger in from outside and approach Miguel Geronimo Baca, who was seated with others watching the dance. Moya had the strength to announce to the startled group, "Look at me. They have killed me." Sena heard Baca ask Moya who had done

this to him, to which the dying man replied, "Lara." After taking a few faltering steps, Moya collapsed and fell to the floor....

Justice Ulibarri asked Colonel Don Pedro Munoz to bring Felix Montoya in for questioning. Montoya...was present at the dance and heard Alferéz Lara order a soldier to call Antonio Moya outside. He saw Moya leave the house and accompany the soldier to where Lara was waiting. They exchanged a few words but did not quarrel; afterwards Alferéz Lara drew his sword and thrust it into the unsuspecting victim. ...

Montoya noticed that earlier in the evening the two had been quite friendly. Moya had befriended Lara and given him a peso so that he might enjoy himself dancing the panaderos, and he told him not to be embarrassed because he (Moya) had money....

The prisoner was brought forward to tell his side of the story. His full name was Manuel Garcia de Lara, he was nineteen, single, an alferéz of the Second Regiment of the cavalry, and a Mexican citizen. Garcia de Lara said that he had not known Moya until he saw him near the church and asked him if he knew where there was a fandango that night. Moya took him to the dance and they sat talking together. When the party-goers began to dance to los panaderos, Moya gave him a peso to treat a female companion with whom he danced.

After the dance was finished, the alferéz sat down and continued conversing with Moya about a girl that he knew in Las Peraltas. Las Peraltas, situated about nine miles north of Moya's home town of Tomé, was the residence of Moya's employer, the wealthy Otero family. When the dance began again, Lara told Moya that he would do all right, that it wasn't necessary to treat the Badeños, and he continued dancing.

(Note: The word "Badeños" refers to the citizens of San Miguel del Bado, where the dance was being held.)

Alferéz Lara stated that Moya sat out another dance and bragged about how wealthy the Oteros were, and how they were going to be one of the richest families in the area. After this remark, he gave Pablo, whose last name was never mentioned... a slap (on the back) and walked outside. Lara remained seated...

The panaderos had started up again when Moya returned to the room and sat down in the same chair where the alferéz was already seated. ("Entro el difunto y se sento en el asiento de donde el que de Lara estaba sentado.")

Manuel Sena, the first witness questioned by Justice Ulibarri... reported that his son, Francisco, had told him that he actually saw Lara stab Antonio Moya with his sword and then leave the dance with a soldier of his regiment.... Francisco was summoned to the jail for a confrontation with the prisoner. In his testimony, he claimed that he witnessed Alferéz Lara strike down the victim with his sword, a charge that Lara vehemently denied. They both swore under oath to tell the truth. Their testimonies were read aloud, the contradictions were obvious. Sena asked the prisoner how he could deny

that he murdered Moya when Sena witnessed the whole incident. Sena saw Lara send the dragoon to fetch Moya outside, where Lara stabbed him in the chest with his sword. Lara responded calmly; he had no disagreement with the deceased, he did not know anything about this soldier that Sena referred to, and Sena was lying....

Alferez Don Manuel Lara was brought from the jail ... Mariano Martinez charged him with the murder of Antonio Moya and read him the statements of the witnesses. Alferez Lara denied that he had committed the crime...

The case, all forty-three folios, was handed over to the defense on 19 February 1844. Unfortunately we don't know what the defense had to say or what the final judgment was, since the documents end rather abruptly at this point.

Although we will never know how the case was adjudicated and what punishment the young officer received, if any, we can surmise that Lara did indeed murder Moya... Alferez Lara was a proud young Mexican military officer, and Moya was a civilian and servant of one of New Mexico's wealthiest families. As the evening wore on, Moya's actions indicate that he may have been imbibing too much of the local aguardiente and offended the alferez. Moya gave Lara money for the dance and bragged about his employer's enormous wealth. Lara refused any additional money, and apparently he smoldered under this insult; a paisano servant had given him, an officer in the Mexican National Army, money to entertain the local Badeños...."