The Commissioner's Cursed Treasure

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This long disastrous story begins in 1554 and ends in the early 1980s. The ship, Santa María de Ycier, made trouble for every soul unlucky enough to get in her path. The first victims were the poor Spanish souls who only wanted to return to Spain; the second victim was Jerry Sadler. In trying to retain the wreckage for Texas, Sadler lost his position as Texas Land Commissioner, head of the Texas General Land Office (GLO). After his involvement with the sunken treasure came to an end, he acknowledged the curse that seemed to plague the ship. In an interview with the Dallas Morning News in 1969, Sadler suggested in jest that there must be a curse on the treasure found at Padre Island; that would explain why he came down with a double hernia. The commissioner may have been joking: the time, but after reviewing the long history of the ship, one wonders if he was on to something.

On April 9, 1554, the Santa María along with four other doomed vessels set sail from Veracruz, Mexico heading towards Havana, Cuba. On board was the ship's master Alonso Ojos and crew, 39 passengers, and their personal slaves and servants. The cargo included gold and silver pesos, 10,000 pounds of silver bullion, cochineal, liquidambar, white sugar, wool and cowhides.

According to the account of one of the surviving passengers, Fray Marcos de Mena, when the ships left the city of Havana, they encountered bad weather that steered them off course toward the Florida coast and then to what is present-day Texas. The fierce wind smashed all but two of the ships against the reefs and rocks hidden beneath the water. Of the thousand passengers, only 300 managed to survive the storm and make it to the coast alive. Luckily, some of the provisions from the ship washed ashore so the survivors had food to eat. Their disorientation and trauma temporarily abated as they feasted on ham, hardtack, and caxetas (a confection set to jell in a wooden box). After six days on the beach, the party considered walking south along the coast to the Spanish settlement of Pánuco, located in present-day Mexico. Before they could leave, about 100 Indians dressed for war showed up. Suspiciously, the Indians brought large quantities of fish with them and offered it to the Spaniards. Despite their delight at the thought of eating a cooked meal, the Spaniards were cautious. While the women cooked the fish, the ship's general ordered the men to prepare for an attack. As anticipated, the Indians began shooting arrows at the Spaniards while they ate. Armed with several swords and two crossbows, the Spaniards retaliated and killed three Indians. After a brief skirmish the Indians retreated.

Afraid of another encounter with the Indians, the party set out for Pánuco. Unfortunately, in their haste to leave before the Indians returned, they left the remainder of the food on the beach. The party did not take any water either, so their only refreshment was the morning dew they collected off the plants on their path. When they reached the Rio Bravo, now the Rio Grande, everyone hurried into the water and drank greedily from the river. Some people died from over hydration. As they crossed the river, one of the friars...
mistakenly threw the bag containing the crossbows in the water, leaving the party even more vulnerable to attack. Once on land, again the party found themselves in the company of the same band of Indians. As they approached the Spaniards, they began shooting everyone in sight with arrows. The Indians captured two of the Spaniards, and for an unknown reason made the men take off their clothes. Operating under false hope, the rest of the party took off their clothes in hopes that the Indians only wanted their clothes and would leave them alone if they undressed. Everyone in the party except four men undressed, and the Indians killed the men who did not disrobe.7

After the attack the Indians retreated briefly, which allowed the hungry, naked, shamed, and wounded survivors to continue walking. In an effort to retain some of their dignity and reduce their embarrassment, the women and children walked ahead of the men. They continued on this way towards the River of Palms. Emaciated from exposure, many of them died along the way. The women and children, arriving first at the river, immediately rushed towards the current and drank heavily. Unbeknownst to them, the Indians had pursued them all along. In taking advantage of the situation, the Indians attacked everyone in the water. By the time the men reached the river, all of the women and children were dead.8

Once again the Indians retreated, and the remainder of the party, about 200 men, looked for ways to cross the river. Finding a canoe on the bank, the Spaniards crossed using the boat as a small ferry. When everyone safely made it to the other side, the fate of the men reversed as the Indians resumed their attack, this time leaving 50 men dead. The party split up with groups separating from each other in an attempt to reach Spanish civilization. One of the groups, three friars and some of the crew, found a canoe with two oars and rowed upstream along the river. After paddling for a while, the men saw two whales swimming upstream. Terrified, the Spaniards paddled to a small island in the middle of the river where they made camp for the night. In the morning, the men made a small raft and crossed the river.9

On the other side, they reunited with the remaining party; they found some had died and the rest were critically injured. The men stayed through the night, helping as much as they could, but by midnight they decided it best to move on. Walking along the beach, sustained by nothing other than shellfish, the men reached another river, the one right before the Pánuco River. For twenty days they had not seen any Indians, but their luck soon ran out as more returned in canoes. The men tried to hide in the groves along the riverbank, but the thickets swarmed with ants that began stinging the naked Spaniards. The biting ants forced the men to leave the safety of the thicket and seek refuge in the soothing water. In this vulnerable position, the Indians showered the Spaniards with arrows, killing most of them. After the onslaught, the attackers withdrew to a nearby field and waited to see if anyone survived.

Lying in the water, Fray Marcos de Mena pulled the arrows from his body, including one that struck him in the eye. After a tremendous struggle he pulled himself out of the water and joined the other Spaniards. The men helped the dying friar across the water, but when they reached the other side, no one thought he would live more than a couple of hours. Covering him with sand, they buried all of him except his face so he could breathe until death took his final breath. Leaving Fray Marcos behind, the others walked on where they met their fates at the hands of the Indians, who, waiting for the Spaniards, seized the remaining men and killed them all.10
The friar, overlooked by the Indians, miraculously recovered. Revived by the heat from the sand and strengthened by sleep, he dug himself out of his shallow grave and commenced his journey. After a long and tortuous walk, he reached the Pánuco River. To his despair, the salty river could not quench his thirst, and he fell to his knees and prayed for salvation. After regaining his composure, he rose and started walking along the river. Looking down the bank, he saw two Indians across the river and seeing they did not have weapons, the friar desperately beckoned them to come. The men did so at once, and after helping him into the canoe, gave him some of their breadcake and water. The men ferried the friar up the river to the town of Tampico, Mexico, where he stayed until he was well enough to continue traveling. Although he lived a long time after the ordeal, Fray Marcos never recovered physically. He spent the remainder of his life in a monastery in Peru, where Agustín Dávila Padilla recorded his account of the shipwreck ordeal.\(^\text{11}\)

When news of the wreck reached Mexico City, the royal treasurer of New Spain sent Ángel de Villafañe to begin preliminary salvage worked on the San Esteban first operations. In July, Villafañe met Captain García de Escalante Alvarado from Veracruz, and the main salvaging work of the four wrecked ships began. The crew because it remained visible. After salvaging everything they could from it, the crew moved on to the Espíritu Santo and Santa María. The divers located the completely submerged ships by dragging a chain between two small vessels until the wreckage snagged.\(^\text{12}\) Anchoring a small boat above the remains, the divers worked for three to four hours, holding their breath and bringing up clothes, gold, and silver. For the larger boxes, the divers swam down with hooks and heaved the chests out of the water.\(^\text{13}\) The notary onboard the salvage ship recorded all items retrieved by the divers. The crew completed the recovery work on September 1, 1554.\(^\text{14}\) Once the salvage ships returned to the port of Veracruz, Captain Alvarado supervised the unloading of the treasure. After several audits of Alvarado’s inventory and the deduction of expenses, the recovered treasure left for Spain.\(^\text{15}\)

After completing the audit, Spain had nothing else to do with the wrecked ships, and the vessels remained untouched until 1967 when two brothers, Paul and Max Znika, from Gary, Indiana heard about gold coins washing up on Padre Island. The men formed a company called Platroco, Inc. and began searching for the treasure.\(^\text{16}\) Using specialized equipment, they recovered hundreds of coins, silver and gold disks, swivel guns, and other valuable artifacts and hauled them up to Indiana. At the time, Texas had no state legislation that regulated the recovery of underwater cultural resources from its jurisdictional waters.

After hearing about the recovery of the Santa María by Platroco from a GLO field agent, Commissioner Jerry Sadler decided to intervene. As he saw it, his duty as Land
Commissioner required him to act on behalf of the state because the shipwrecks fell on state-owned public school lands. In a press release, Sadler explained that the Texas statutes granted the Land Commissioner the authority to oversee all state-owned land, including submerged lands, and to supervise all operations involving them. His duties also included making rules and regulations to govern those operations when a necessity existed. The only limitation placed on his rule-making authority was the stipulation that the regulations could not contravene any existing statute.

Sadler sent a couple of trucks, accompanied by armed officers, to Indiana to retrieve the “stolen” treasure. In an act of cunning diplomacy, Sadler made an agreement with the Indiana brothers that said Texas and Platoro would split the treasure equally. Sadler later stated he did this to prevent Platoro from filing a maritime lawsuit. According to the commissioner, if they had done so, Texas would not have “gotten so much as a seashell” from the wreck. This contract would later be a source of controversy with the state legislature. Loaded with the loot and a one-sided contract signed by Platoro, Sadler and his men went back to Austin and locked the artifacts in the GLO’s vault. The artifacts included gold bars, jewelry, silver bullion, and navigation instruments. Once the items were safely stored, Sadler persuaded Texas Attorney General Crawford Martin to take legal action to protect the goods. The court banned Platoro from further salvage operations. This began a legal battle in federal court that continued until the early 1980s.

News of the recovered treasure quickly spread and soon everyone wanted to see the famous trove. Since the legislature was in session, Sadler invited some of his friends from the Texas House of Representatives to view the artifacts. He did not invite everyone, and some members who felt slighted tried to force their way in. One of those people was Jake Johnson, a representative from San Antonio. He and Sadler got into a scuffle over the artifacts when Johnson tried to enter the vault. In the heat of the moment Sadler grabbed Johnson. Representative Francis “Sissy” Farenthold, who witnessed the fight, later sponsored a bill, with Jake Johnson, to formally reprimand Sadler for his action. However, this was not before a soap opera of the whole ordeal played out in the press with each party telling their side of the story. In an interview with the Laredo Times, Sadler stated, “I reached over and got him by the tie. I had to reach around Mrs. Farenthold. He was behind her. If he had been a whole man, I would have gone further than the tie.” Rep. Farenthold disputed this, saying that Rep. Johnson was not standing behind her. He was standing to her right and Sadler was standing to her left. She plainly saw Mr. Sadler choke Mr. Johnson. Johnson declared, “Either I owe Mr. Sadler the biggest apology in Texas or Mr. Sadler is the biggest liar in Texas. Gentlemen, he didn’t grab me by the tie. He grabbed me by the throat, and if it hadn’t been for one of his bodyguards . . . I might not be here today because he really had fire in his eyes.” The physical assault, coupled with Sadler’s evasiveness regarding the contract with Platoro, led to the filing of a formal reprimand by the state legislature. Sadler told a legislative committee he had made a contract with the firm that would give the state fifty percent of the treasure. Later when asked by a House subcommittee, he contradicted himself, saying there was no contract. He said he used the contract talk as bait to secure all the treasure for Texas, but the legislature felt deceived by Sadler’s ambiguity.

During the regular session of the legislature, the representatives brought up the reprimand but failed to get enough votes to pass it. According to Jack Giberson, Chief Clerk of the GLO, Sadler issued a press release saying that the House had not found any wrongdoing on his part. This angered the representatives further, so they called for
another reprimand during the following special session. This time, however, they secured enough votes to reprimand Sadler. 28 In addition, the House passed a bill establishing an Antiquities Committee, which would ultimately take the shipwreck away from Sadler. 29 In a display of territoriality, Sadler flatly refused to give up possession of the artifacts and opposed the committee. In a press release he stated his position: "We did not step into the picture until matters got beyond the stage where only beachcombers were involved. But now that we are in, I will say flatly and unequivocally that I will not turn these operations over to any fuddy-duddies, pirates or peckerwoods whose only interests are in plundering what rightfully belongs to the school children of Texas." 30

Despite Sadler's protest, the legislature passed the Antiquities Act giving a seven-member committee (Texas Antiquities Committee) jurisdiction over discovery and salvage operations at designated sites as well as the responsibility to preserve and protect archeological resources. All the artifacts from the Santa Maria became the property of the Antiquities Committee. The act declared that any offshore shipwrecks of pre-twentieth-century origin found in the Gulf of Mexico or in the riverbeds owned by the state automatically became state archeological landmarks and therefore the property of the state. The legislation authorized the committee to make contracts and issue permits to public or private organizations to salvage shipwrecks and to give the salvager a percentage of the case value of the recovered objects. 31 Sadler lost custody of the artifacts, and the Antiquities Committee transferred them to the University of Texas research facility for further research; however, the transference of the treasure did not end his ordeal.

The final deed that ended Sadler's career was the mass printing of a booklet called Treasure Tempest in Texas. He authorized the publication that detailed the story of the shipwreck and his own heroic efforts at preserving the artifacts. This was not yet a big deal except Sadler charged the printing expenses to the state. First word of the booklet came in a story in the Dallas Morning News by columnist Frank X. Tolbert. A close friend of Sadler, Tolbert urged "every inhabitant of the province" to try to get one. 32 Although the booklet was designed to state the commissioner's case in the controversy, it read more like a treatise, and was divided into chapters with titles such as "How the Treasures Got to Texas," "Wreck Site Rediscovered," and "Experts Verdict A Major Find." 33

The booklet explained Sadler's initial moves to stop the Indiana firm from salvaging the wrecks and to make Platoro return the treasure to the GLO. It stated that, "even up to the present time he still is the only member of Texas officialdom who had made any effort to do so. Except for his efforts, which have succeeded, the entire lot of these artifacts which form a concrete physical link with the earliest recorded history of our state would have been lost for all time." 34 It was not his lack of humility that got him in trouble, however, it was the expenditure of state money to produce the booklet. State employees at the GLO printed it using state-owned equipment. 35 Eventually, Sadler paid for the copies, but not until the press made an issue of the whole matter. Sadler made matters worse by responding in his typical fashion; he got into an argument with one of the reporters. When journalists discovered that GLO personnel printed the booklet
on state equipment, they approached the commissioner for answers. He refused to talk to
the reporters, and despite his protest, one of the men took a picture of him. Sadler reacted
by slamming the camera into the newsman’s face.36

At this point, all Sadler seemed to get was bad press. In the Dallas Express News
Sadler continues to show an amazing lack of restraint and judgment. He seems unable to
refrain from choking anyone who upsets him.” These kinds of stories began to dominate
all of Sadler’s news coverage. The impact of his negative press took its toll when, in 1970,
Sadler lost his reelection bid in the state primary. His defeat, however, did not keep the
former commissioner out of politics. He also ran in the 1976 and 1978 races for Railroad
Commissioner. Although, he did not win either election, he stayed in the game. While
staging a comeback bid as Land Commissioner in 1982, he died unexpectedly, ending the
career of one of the most colorful and controversial individuals in all of Texas state
government history.38

Before Sadler took the post of Land Commissioner, he was a controversial political
figure. In 1938 he entered politics against the advice of everyone he consulted. Several
months and “58 fist fights” later, he won a place on the Texas Railroad Commission.39
Never afraid of going against the grain, he tried to stop the sale of Texas oil to Germany
before World War II, even though legislators, the governor, and German propagandists
criticized his actions. When he first came to the Texas capitol, he arrived at five a.m. to find
that the lights in the building did not come on until six a.m. Never shying away from
making changes he saw necessary, Sadler adjusted the schedule of the lights to turn on an
hour earlier. After he won a place in the House of Representatives, he defeated an effort to
have spittoons removed from the legislative halls. In 1959, he opposed a resolution
denouncing Soviet Premier Nikita Khrushchev. After the House rejected the resolution, its
sponsor took the microphone and said, “It seems like Khrushchev has won again and [so
has] Sadler, his side-kick.” Sadler, unafraid of physical confrontations, walked to the
lawmaker’s desk and punched him in the chest.40 At the GLO he banned miniskirts and
long sideburns, both popular styles of the time, because he thought they were inappropriate.
Battles like these speckled Sadler’s career. To no one’s surprise, his reprimand by the
legislature failed to slow him down, saying he would do his duty even if it brought
reprimands, “because that’s what I’m going to do as long as I’m commissioner of the Land
Office, and I’m not fixing to quit.”41

Sadler’s fiery temperament and demanding nature brought the Santa María’s treasure
back to Texas. According to Giberson, “it was almost through his [Sadler’s] own blood and
guts that he was able to get those treasures back from Indiana.” Even though Sadler’s
strong-willed, demanding nature may have ended his career, those attributes were also the
source of his accomplishments. It is more likely that Sadler’s demeanor attributed to his fall
from office than the alleged cursed treasure. The printing of Treasure Tempest in Texas is one
example where Sadler should have done things differently. As Glen Castlebury put it in the
Austin American-Statesman, Sadler should not have told everyone he printed the book at his
own expense. The booklet was nonpartisan enough to qualify as a state document, making it
eligible for state-funded publication; however, Sadler lied about printing it at his own
expense and was caught using state employees and equipment for the job. To make matters
worse, the stories he came up with about paying the state were thin. He did not repay the
state until after the newsmen discovered the cellar printing operations, and the controversy made him look bad.43

Despite his faults, there were those who supported Sadler. His neighbors described him as bullheaded, flamboyant, quick-tempered, but helpful, understanding and an asset to the community. One woman said, "He went to school with me. He was smart and always good. He still helps other children if he can... I don't believe he would take from the other fellow, but he wants what is his. He may not be the most honest man in the world, but he never cheated anyone around here."

To Sadler’s credit, his rigid style of operating the GLO increased revenue for the State of Texas. Royalties on mineral lands increased from one-eighth to one-sixth. This increase in revenue enabled the Land Office to return to the state’s General Fund $400,000 more than the legislature appropriation for the biennium ending August 31, 1963. When the price of sulphur skyrocketed, $6,000,000 in additional revenue went to the Permanent School Fund from 1966 to 1971. Sadler also increased revenue from submerged land leases.45

Because of Jerry Sadler, the artifacts of the Santa María de Ycár can be viewed at the Treasures of the Gulf Museum on Padre Island. He may not have had anything to do with the treasures after they left the Land Office, but he got them back to Texas in the first place. Without Sadler’s tenacity, the Texas would have lost one of its great underwater cultural resources. Although his mistakes inadvertently influenced the creation of the Texas Antiquities Commission, the legacy of the commission has been to salvage and protect many priceless cultural resources. The creation of this organization led to the Antiquities Code of Texas, setting the legislative precedence for historic preservation in Texas. Before Sadler, coastal states had little authority over their underwater cultural resources and many treasures were lost to professional and amateur salvagers. Whether the ship’s treasures or his own character cursed Sadler, the result for Texas has been the preservation of a significant historic resource, which is no curse at all.

2 J. Barto Arnold III, ed., introduction to Documentary Sources for the Wreck of the New Spain Fleet of 1554, trans. David McDonald (Austin, Texas: Texas Antiquities Committee, 1979), x.
4 Ibid.
7 Ibid.
8 Ibid.
9 Ibid.
10 Ibid.
11 Ibid.
12 Arnold, introduction to Documentary Sources for the Wreck of the New Spain Fleet of 1554, xii.
14 Arnold, introduction to Documentary Sources for the Wreck of the New Spain Fleet of 1554, xii.
18 Ibid.
20 Davis, “Saga of sunken Spanish treasure returns to court.”
24 Ibid.
27 Interview 4, A Guide to the Jack Giberson Subject Files and Oral History, Archives and Records, Texas General Land Office.
28 Ibid.
30 Undated Press Release, Jerry Sadler Dewhurst Speeches, Archives and Records, Texas General Land Office.
31 “Antiques,” Farenthold Papers.
33 Ibid.
35 Ibid.
36 Ibid.
38 Jerry Sadler Biography, Jerry Sadler Dewhurst Speeches, Archives and Records, Texas General Land Office.
40 Ibid.
41 Ibid.