

thought best. If I can be of any more service to the Indians or government by remaining at Breckinridge I withdraw this request; but if I cannot, and I do not see how I can, I would prefer remaining in Denver.

On the 6th of September I engaged Uriah M. Curtis as an interpreter. I would ask to have his name sent to the department and confirmed.

Together with my accounts the foregoing is herewith most respectfully submitted for your consideration.

I am your obedient servant,

H. M. VAILE, *Special Agent, &c.*

Hon. WILLIAM GILPIN.

NEW MEXICO SUPERINTENDENCY.

No. 50.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Santa Fé, New Mexico, October 10, 1862.

SIR: The late invasion of our Territory by the Texans has had a most unfortunate effect upon some of the Indian tribes within this superintendency. For nearly one year that portion of New Mexico known as Arizona was in the military occupation of the enemy, and all the Indians in that district of country were thus placed beyond the limits of our jurisdiction for the time being. In consequence of this condition of affairs there have been no government agents in charge of the Apaches, the Pimos, Maricopas, and Papagos. Nor, as I am informed, did the Texans, during their stay in the country, attempt to exert any control over them, except in the immediate vicinity of the posts at which their troops were stationed. This long neglect has operated most injuriously upon the Apaches, and we will experience much difficulty before we can again get them reduced to even the degree of subjection they were in before these untoward events came upon us. The tribe is divided into seven or eight bands, which, collectively, number about eight thousand souls.

The band which is the occasion of the most trouble at present is known as the Mescalero. They roam upon our eastern frontier, from Fort Stanton to the neighborhood of Fort Union, a distance of about two hundred and fifty miles. Since the abandonment of Fort Stanton, last year, by our troops, this band has been in a state of hostility, and has committed many depredations upon the citizens. The crimes of which they have been guilty are of the most grave character, among which is included that of murder.

General Carleton, who is now in command of the military department of New Mexico, has ordered an expedition against the Mescaleros, under the command of Colonel Kit Carson. Should the plan of the campaign be rigidly executed, the tribe will be in a short time thoroughly chastised and humbled. Agent Labadie will accompany the expedition. His instructions are to neither propose nor accept offers of peace until the band shall have been properly punished, in accordance with the orders of General Carleton.

Fort Stanton will be re-established and garrisoned by Colonel Carson, and will constitute the base of operations in the expedition against the Mescaleros this fall. It will also, as heretofore, be the headquarters through which we will have communication with the band when it shall be put in a condition to be dealt with by the civil authority.

In the general term "Gila Apaches," are embraced all the Apaches which live west of the Mesilla in the country watered by the Mimbres and Gila rivers. In my last annual report I mentioned the extent to which they had carried their hostilities against the whites, in breaking up the settlements upon the valley of the Mimbres, and compelling the settlers to fly for protection to more.

densely populated portions of the Territory. Since then I have had no official information from them, (there having been no agent with them,) but it is known that they continue hostile, and lose no opportunity to commit depredations. The mining and agricultural districts in that portion of the Territory west of the Rio Grande have been almost entirely abandoned, and their rich products lost to the people, in consequence of the animosity of the Gila Apaches.

When the California troops were marching to Arizona, under General Carleton, last summer, they encountered some of these Indians at the Apache Pass, some hundred and fifty miles west of Mesilla. In a skirmish which one company of the command had with them, and from the stealthy murders in the pass, nine men lost their lives. The command, after it had gone through the pass, found the remains of nine other men who had been murdered by these Indians, one of whom had been burned at the stake. These unfortunate victims had started from the Pino Alto mines, in July, to go to California. This pass is on the great thoroughfare to California, and has been the scene of many barbarities, especially about the time of the breaking up of the Butterfield overland mail.

A military post has been established at a point in the pass which commands the water in it, and which is garrisoned by a force sufficiently strong to keep the Indians off. This cannot but be attended with the most salutary results to a large region of surrounding country. Deprived of the water from the springs in the pass, the Indians will be compelled to abandon this place of resort for mischief doing, and travellers will be guaranteed immunity from the dangers to which they have heretofore been subjected. Agent Maxwell has been assigned to duty among these bands, and will in a short time proceed to the agency. Until I can have some authoritative information from him I cannot give a more circumstantial account of the condition of the Gila Apaches than is contained in the above.

The Pueblos of Western Arizona are known by the names Pimos, Papagos, and Maricopas. Like the Pueblos, which are interspersed among our people in populated parts of New Mexico, they are much more than semi-civilized, and are engaged in all the industrial pursuits necessary to supply the wants of people in their condition of life. The lands which they occupy are represented as being exceedingly fertile and well cultivated. Last year they produced a surplus of more than one million pounds of wheat, which was purchased from them by General Carleton's command, last summer, when on its march from California to this Territory. It has been the custom of the Indian department to furnish these Pueblos with agricultural implements, and blacksmith tools with which to repair them when out of order. The good effects of this policy are now seen in practical results, and offer an argument in favor of its continuance with them and its adoption with other Indians far stronger than can be produced by logic or theories spread on paper. Besides doing thus well for themselves, they are an advantage to the government, and have done much good service in the protection of that border from the forays of the wild Indians. Their assistance in this respect has been properly recognized by the military authorities in the presentation to them of one hundred muskets and ten thousand rounds of ammunition. More arms and more ammunition could be profitably employed by them, but could not be furnished from the limited supply on hand at the time the above presentation was made. Application has been made to the War Department for a special grant of arms for their use, and I fully concur in the propriety of the adoption of such a measure.

Although they were for more than a year completely cut off from communication with us and our authorities, and for the same length of time subjected to the influences of the enemy from Texas, they remained faithful to the government and obstinate to the approaches of the invaders. Considering their isolation and all other circumstances, this speaks highly in their behalf, and leads to

the conviction that they would not make an improper use of the weapons if placed in their hands in compliance with the application above mentioned.

In consequence of having detailed Agent Ladadie to accompany the expedition against the Mescaleros, a vacancy existed in the Tucson agency, which I have filled by the appointment of Mr. Abraham Lyon, as special agent, as will appear by the accompanying papers.

Mr. Lyon is well acquainted with the Indians of Arizona, especially with the Pimos, Papagos, and Maricopas, and will doubtless make an energetic and useful agent. He is now *en route* for the agency, and is taking with him a small lot of farming implements for the Pueblos.

The Utahs and Jicarilla Apaches on our northern border have been quiet during the year, but have not abstained from depredating upon the property of the citizens. Some murders have been committed in the region of country over which the Jicarillas sometime roam, but the guilt of having committed them has not been fastened upon the band. The Mescaleros range upon the same country, and might be easily mistaken for the former, the bands being similar in every respect and speaking the same language. The Mescaleros are in open hostility, whilst the Jicarillas are at peace; hence it is but fair to presume that the outrages have been committed by the former, in the absence of plausible evidence to convict the latter. The presumption of innocence is entirely upon the side of the Jicarillas, and they should have the benefit of it. To wrongfully charge them with offences would, in all probability, drive them into hostility, and be the cause of adding to the troubles which already exist with the Mescaleros.

The report of Major Amy, late agent for the Mohuache Utahs and Jicarilla Apaches, is so full and satisfactory that it leaves me but little to add. Their people are well disposed, but complain of the scanty supplies of provisions which are allowed them. The two bands number about seventeen hundred souls, and, in consequence of the scarcity of game on their hunting grounds, they are compelled to rely almost entirely upon the rations furnished them by the government for a support. This, notwithstanding Agent Amy largely exceeded his estimate of funds for the purchase of provisions, falls far short of what would be enough to supply their wants. I would therefore recommend to the Commissioner that the attention of the department be directed to the condition of these two bands in this respect, and if possible some measures be adopted by which they may be prevented from becoming depredating paupers upon our hands, in consequence of circumstances which are being brought about by the whites, and over which the Indians have no control. Hereafter Agent Keithly will have charge of these two bands, with his agency on the Poñel, near Maxwell's rancho. The change of the agency from Taos to this point seems to have worked well, both for the Indians and for the citizens.

For information in regard to the Womenunche and Capote bands of Utahs, the Commissioner is referred to the report of Agent Manzanares. His estimate of the number of the two bands is twenty-five hundred. The Womenunche (also known as the Pa-Uches) occupy the country on the San Juan river, and are under the immediate charge of Special Agent Mercure. His agency is now located on the Chama river, about sixty miles to the northwest of Abiquin, but, to save the expense of transportation, the supplies allowed them have been issued at the Abiquin agency. The conduct of these Indians has been good during the year, and if the government would increase their rations so as to secure them against want, they would give us but little more trouble.

During the year the general conduct of the Comanches has been good, though they have sometimes come to the settlements and stolen stock. A special agent has been appointed to take charge of them until such time as a full agent is allowed them.

The Indians of the Pueblos pursue their usual avocations with their wonted

industrious habits and exemplary conduct. They occasion no trouble, and have but little to do with the superintendency, except in the settlement of differences which arise between them and citizens who reside near their villages.

The Navajoes continue hostile. Indeed, their hostilities are presented to us in a more aggravated form than at the time of my report of last year. In that report I fully set forth the character of these savages, the nature of the warfare they were waging, and the desolation they were spreading over the Territory. During the last year we have had a repetition of the same scenes, but in an increased magnitude.

Agent Ward, who has in charge the Navajoes, is of the opinion that a small portion of the tribe has remained quiet during these troubles, and that they now are, and have been during the summer, near the settlements entirely separate from the main body of the tribe. If they continue there, and observe a proper course of conduct, we will endeavor to secure them from harm in any effort that may be made to chastise the unruly portion of the tribe for past offences.

Whilst the Navajoes remain in this hostile condition it is not necessary to make recommendations in regard to their future management by the Indian department. For the present, the best and only thing that can be advantageously done with them is to let them be well punished by the military arm of the government. To enable him to properly discharge his duties in this respect, and at the same time guard the other interests of the Territory, General Carleton has asked for permission to raise another regiment of volunteers. In this he should meet with the favor and assistance of the Indian department, for we may rest assured that no civil authority can be exercised over these hostile tribes and bands until they are thoroughly convinced of the power of the government to enforce its will amongst them. So long has our leniency been felt by them that they have construed it into weakness and inability to execute threats that have been made against them in order to endeavor to persuade them to abandon their predatory habits and live in peace with the whites.

In several of my annual reports I have recommended that a different policy be adopted by the government in the management of the wild tribes in this Territory. I again recur to the subject, with more confirmed convictions of its propriety. Whether as a question of economy to the government or of interest to the whites and Indians, the reservation system is the one which should now be adopted and effectually carried out. If we consider it in the light of humanitarians, then our desire to promote the welfare, increase the happiness, and prolong the existence of these portions of the race, call aloud for reformation, and that immediately. Procrastination serves only to accumulate the evils to be remedied, and increases the difficulties to be overcome. All the experience of the government in this behalf shows that it is easier and much more economical to manage the Indian tribes when they are subjected to the regulations and confined to the limits of reservations than it is to control them whilst they roam at large.

There is no evidence that the Indians within the limits of this superintendency have any connexion with the uprising of the Sioux in the north. There is, however, no doubt but there is a regular communication kept up between the various tribes which inhabit the central portion of the continent, and that each one is cognizant of the affairs and doings of the others. How combinations might be formed among them can be easily conceived, and how dangerous these combinations might become can easily be understood by those who have the least knowledge of the Indian character. There probably is now no cause for alarm in this respect, but the information contained in this paragraph may be new to some of our legislators, and be of use to them in the future when they have Indian affairs under consideration.

The attention of the government is again called to the existence of many claims for loss of property presented, with the proof in their support, to this su-

perintendency, and which have been forwarded to the department at Washington. It is due to the claimants and to the government that a commission should be created to investigate and report upon these claims, in order that such as are just may be settled. Should there still be delay in creating such a commission, I would respectfully recommend that an estimate be made asking for an appropriation to pay such of said claims as the Commissioner of Indian Affairs may, on investigation, find to be satisfactorily proved and made out in conformity to law. The injured parties feel deeply the omission for these many years to provide for the settlement of their rights under the intercourse act designed for the protection of their property or indemnity for its loss.

The allowance of two additional agents for the Indians of this Territory is again presented to the attention of the Commissioner. The Comanches and Mescalero Apaches occupy the country on our eastern border. The frontier over which they roam covers an extent of more than three hundred miles, and having no permanent agent to control them has been the cause of much trouble and loss to the citizens.

I have found it necessary to appoint two additional special agents, and respectfully ask that they may be recognized as sub-agents under the regulations of the department.

Agents of this character are highly important to the service, on account of the great extent of country over which the various tribes are scattered. As in the case of the Navajoes, it is impossible for one agent to give that attention to the tribe that is necessary to insure their successful control.

An estimate of funds necessary for the service in this superintendency for the next fiscal year will be forwarded to the department at an early day.

Very respectfully, your obedient servant,

J. L. COLLINS,

Superintendent of Indian Affairs, New Mexico.

Hon. WILLIAM P. DOLE,

Commissioner of Indian Affairs, Washington City.

No. 51.

INDIAN AGENCY,

Cimarron P. O., New Mexico, September 1, 1862.

SIR: I have the honor to submit my second annual report. Nearly everything of special interest which has occurred within this agency since my last report has been communicated to the department.

As the President of the United States has honored me with the appointment of secretary of the Territory of New Mexico, and consequently it becomes necessary to resign the duties of Indian agent to my successor, it may be proper at this time to allude again briefly to such matters of interest, while submitting to you a general statement of the condition of this agency for the last year.

Thirteen months ago it was deemed proper to remove the agency from Taos to this place. The necessity for this removal arose from the fact that Taos valley, where it was then located, is more densely populated with Americans, Mexicans, and Pueblo Indians than probably any other portion of New Mexico. The Utahs and Jicarilla Apaches that are now under the charge of this agency spent the most of their time on the east side of the Taos mountain, in the valley of the Cimarron, and between that and the Raton mountain, making occasional visits to Taos, where the agency was then located. When the Indians made their visits to the agency, they received presents, which they sold for whiskey, and constant disturbances were the result while they were in the town. The

parties who sold the whiskey could not be reached by law, because a law of this Territory exists which allows the Pueblo Indians to buy liquor. The Utahs and Apaches would get the Pueblos to buy it for them; they would get drunk together, and get into fights with each other. Under these circumstances, after receiving the advice and recommendation of Superintendent Collins, Colonel Kit Carson, and a number of the wealthy citizens of Taos, and also all of the prominent citizens in Cimarron valley, the agency was removed in August, 1861, to this place, east of the Taos mountain, which is more sparsely settled and away from any town, and entirely out of the reach of the Pueblo Indians, and where the agent can have a much better control of the Indians under his charge.

Since the establishment of the agency here scarcely one-half the number of depredations have been committed, and I have heard of the Indians being drunk and giving trouble on but one occasion. I then gave notice that I would prosecute any person who furnished them liquor. Since then the Indians have been sober and obedient. This agency is now located *in the Rocky mountains, in the Territory of New Mexico*, about fifty miles south of the south line of *Colorado Territory*. It is more than sixty miles west of the east side of the Raton mountain, fifty-five miles northeast of Fort Union, and on the east side of the Taos mountain, and fifty miles from the town of Taos. It is located on a small creek called "*Ponial*," which empties into the Cimarron. It is 269 miles from Denver, and over 200 miles from Fort Lyon. There is an abundance of fuel convenient—both wood and coal. The soil is good, and will produce nearly all kinds of vegetables and grain, which can be purchased on as good terms as in Taos valley. In Cimarron valley there are about *fifteen American* and eighty Mexican families, who are engaged in mechanical, pastoral, and agricultural pursuits, and have been getting along quietly with the Indians of this agency. During the past year I have taken, as far as practicable, a census of the Indians, and report as follows:

Mohuache Utahs.—Men and boys over 18 years of age, 226; women and girls over 18 years of age, 228; children under 18 years of age, 112: total number of Utahs, 566.

Jicarilla Apaches.—Men and boys over 18 years of age, 387; women and girls over 18 years of age, 365; children under 18 years of age, 208: total number of Jicarilla Apaches, 960.

In all there are connected with this agency *fifteen hundred and twenty-six Indians*, most of whom depend upon the game they hunt (which is becoming very scarce) and the provisions that are issued to them by the Indian department. A few of the Indians have been engaged in agriculture, but in this they have heretofore received no encouragement from the government. During the past year eight Utahs and nine Apaches died of small-pox. The surgeon general of the United States army kindly furnished me with good virus, and we vaccinated all the Indians we could, and have succeeded in checking the disease.

In January last the honorable Commissioner of Indian Affairs authorized me to lease a tract of land and erect buildings at this place for an agency, and an appropriation of \$2,000 was made and that sum was placed in my hands for that purpose. In conformity with the instructions received from the honorable Commissioner, I leased from L. B. Maxwell, esq., a tract of land two miles in length and one mile in width, situated in a beautiful valley and watered by the Ponial, at the rent of \$20 per annum. Upon this tract of land, on the east side of Ponial creek, I have erected the buildings for the accommodation of the agency. The buildings consist of one room eighteen by thirty five feet, intended for a council and school room; one room eighteen by twenty feet for the agency

office; one room eighteen by twenty feet for a kitchen, adjoining to the council room; one room the same size for a dining-room, which joins the kitchen; four rooms, each eighteen by twenty feet, for sleeping apartments; and two rooms, each seventeen feet square, for warerooms, in which to store the Indian goods and provisions. The floors and ceilings are made of good pine lumber, planed, tongued, and grooved, sufficient doors and windows for ventilation and security. The buildings are constructed with adobes, and are plastered and whitewashed both inside and outside. I believe myself fortunate in finding a good, competent workman, who furnished all the materials and constructed the buildings complete, and delivered the keys to me, for the \$2,000 appropriated. All who have seen the buildings express the opinion that "the work is well done and the cost is very cheap." In addition to the buildings, I erected at my own cost a corral for horses and cattle, and intended this fall to fence about five acres of ground adjoining the agency for cultivation as a vegetable garden for the use of the agency; also to have ploughed twenty acres more, which I intended to plant next spring in wheat, corn, and vegetables, and divide into small patches, to be tended by such Indians as were willing to work, the product to belong to the Indian who cultivated the patch, and thus I hoped to be able gradually to induce the Indians of this agency to quit roaming over the country and cultivate industrial habits. The Utahs and Jicarilla Apaches under the charge of this agency have for many years "claimed the right to roam where they pleased in the Territories of New Mexico and Colorado," and they have exercised this "claimed right," which has resulted in various depredations and much loss of life and property. During the period in which I have acted as agent, I have remained with them as much as possible, visited them in their lodges and camp in the mountains, and adopted every means in my power to restrain them from depredations.

This has been essentially necessary from the fact that, in common with all the Indians of New Mexico, they have been tampered with by the agents of the so-called "Southern Confederacy," who made all kinds of misrepresentations to them in order to make them dissatisfied with the federal government. I am happy, however, to say that they have always manifested a friendly disposition towards the United States, and, on several occasions, tendered their services for the protection of the citizens of the Territory against the rebels and hostile Indians, and on one occasion they were employed by the military commander of this department for about a month as scouts, in which capacity they rendered efficient service. These Indians, although but comparatively few in number, as I stated in my last report, "possess the balance of power in New Mexico." They stand between the unfriendly Indians and the citizens. If they were to become hostile to the government and co-operate with the Navajoes and Mescalero Apaches, who are reported as committing constant depredations, there would be no safety for life or property. The mail stages and trains from the States would be exposed to their depredations, which could not be prevented but at great expense to the general government. As it is, they are at war with the Navajoes, the confederate tribes of the plains, and also with the Mescaleros and Southern Apaches, which prevents them from visiting the plains where the buffalo is abundant. The country north, where they formerly roamed for deer, antelope, and other game, being now occupied by settlers and miners, they are placed in a condition which renders it necessary that they should be fed and, as soon as possible, provision made for their location on reservations where they would be taught to labor for their subsistence.

During last fall I heard that a band of between three and four hundred Indians of the plains were on their way, and had crossed Raton mountain, intending to come to this agency to fight the Utahs. I immediately sent word by a messenger that they must go back, as the Utahs were absent in the mountains, (where I had sent them for safety,) and that they would be met by the citizens and United States troops if they came. Fortunately, Captain Duncan, with

his command, passed and camped here. This was also reported to the Indians. They consequently turned their course north, and came upon a camp of ten lodges of Utahs. Some white citizens went out to meet them, and endeavored to induce them to let the Utahs alone, which they refused to do. The whites reported the result to Benita, the chief of the Utahs. He immediately directed his women and children to mount their horses and escape, which they did, while twelve Utahs drew themselves up in battle array against the three or four hundred, and fought them until nine of the Utahs were killed, one wounded, and two remained unhurt. The two seized the wounded chief, Sesareva, and the dead chief, Benita, and dragged them to some bushes, where they made a stand and fought the whole of the Indians until they retreated, and they saved the scalp of Benita and the life of Sesareva, and also the lives of all the women and children. Such an instance of bravery is scarcely to be found, either in civilized or savage history.

In my letter to the department dated August 9, 1862, I furnished an estimate of the amount of provisions, &c., which I supposed would be necessary to supply the Indians of this agency with food for the coming year, and I urged that they have now no means of subsistence but game, and that is very scarce. They say they must have bread to eat, and "if they are not fed they will be under the necessity of depredating upon the cattle and crops of the citizens, which they do not want to do if it can be avoided."

After the experience of another year, I am strengthened in the opinion that treaties should be made with all the Indian tribes of New Mexico and Colorado, requiring each tribe to cultivate peaceful relations with all other Indians, and binding them to cease hostilities with all tribes who are at peace with the government of the United States; that treaties should be made with the Indians of New Mexico to obtain from them the relinquishment of the right they claim to roam where they please in this Territory; that, in consideration of the relinquishment of this claimed right, they should receive a certain specified tract of land as their reservation, the boundaries of which should be fully defined, and the Indians be required to remain on it, the American and Mexican citizens excluded therefrom except when permitted by the agent. The treaty should give the Indians a reasonable compensation for the relinquishment of this claimed right, in annual payments, for a term of years, not payable in money, but in articles of clothing, provisions, and farming implements as would be necessary for their comfort and enable them to cultivate the soil. A carpenter, farmer, and blacksmith should be employed to assist them in the erection of houses, cultivation of the soil, and the repair of the farming implements. An industrial school should be established on each reservation, and in the treaty it should be specified that all children between eight and sixteen years of age should be placed in charge of the agent to educate them, the government agreeing that during that period the children should be clothed and fed, and the Indians to agree that during that time the children should labor at least three hours per day, under the direction of the agent.

The Indians in New Mexico are at this time as much uncivilized as when the government first took them in charge, and it is my opinion that they will remain in the same state until they are settled on reservations and compelled to cultivate the soil for their maintenance, and allow their children to be educated, mentally, morally, and physically. This, alone, I think, will serve them, and place this country in a condition for the development of its pastoral, agricultural, and mineral resources, and save the citizens from the constant depredations of the Indians. Without this I am convinced that they will continue to sink deeper into degradation so long as a generous government or their practices of begging and stealing will afford them a means of subsistence.

With the intention of preparing the way for this proposed system of reservations and education, I had arranged to take into my family at the agency such

children as the parents were willing to place under my charge, and this fall begin a school, in which I expected to have a number of Utah and Apache children. I am now under the necessity of leaving this matter in charge of my successor, L. J. Keithley, esq., who, I am happy to say, is a gentleman fully competent, by his long residence in New Mexico and acquaintance with the Indians, to carry out efficiently this system, if adopted by the government, and who fully concurs with me in the views expressed in this communication.

I beg leave to suggest that all the Apaches of New Mexico and Arizona should be located together, as soon as it can possibly be done, on or near the beautiful stream Santa Lucia, a tributary of the Gila, south of the Mogollon mountains.

Colonel Bonneville, in a letter to the superintendent of Indian affairs, dated September 22, 1857, says, respecting this valley: "Within these boundaries we have a spot large, fertile, and well watered by the Gila, bedded in the mountains, distant from all roads, and without the probability of any ever being made through it—a country, as it were, isolated. This appears to me to be most admirably adapted for the home of the Indians."

In conclusion I beg leave to say, that the more I investigate the condition of the citizens and Indians of New Mexico, the more I am convinced that the Indians should be placed on reservations, and be compelled to remain on them, as a matter of economy for the government, and also a benefit in every way to all parties interested; and could I reach the ear of each and every member of Congress, I would beseech them, for the sake of humanity and economy, to enact as speedily as possible a law providing in this way for the protection of the citizens of New Mexico, which at the same time would decidedly benefit the red man.

I have the honor to be, very respectfully, your obedient servant,

W. F. N. ARNY,

U. S. Indian Agent, New Mexico.

Colonel JAMES L. COLLINS,

Superintendent of Indian Affairs, Santa Fé, New Mexico.

No. 52.

ABIQUIN INDIAN AGENCY,
New Mexico, September 3, 1862.

SIR: In conformity with the regulations of the department, I have the honor to submit this my annual report for the present year.

Some time ago I received two circulars from the department at Washington, submitting sundry specifications on the subject of schools, farms, farming, employés, &c.

In answer to these various inquiries, I have to say that no provision has yet been made by the government for the establishment of schools for the Indians under my charge, nor have any steps been taken to settle the Indians on reservations with a view to instruct them in the business of farming. The Indians do not seem much inclined to work, but I have no doubt but their habits in this respect can be changed if the government will make provision to settle them upon lands which they can call their own. Although these Indians claim the right to occupy and roam over all the unoccupied land in the Territory, no portion has ever been regarded by the Mexican authorities as Indian lands, so that, should they settle and open farms, they would doubtless be dispossessed by the Mexicans. They are aware of this, which has doubtless discouraged them from fixing upon any permanent location. If, therefore, the government desires to encourage the Indians in this important change of life, they must be secured in

the possession of land as their own, and assistance must be furnished them in opening and planting their farms.

This subject has, however, been so often urged upon the attention of the department that it is unnecessary to enlarge upon it again. Suffice it to say that it is the only policy that can be adopted that will relieve the white settlements from the predatory incursions of the Indians, and that will, at the same time, reclaim them from the savage and vagabond life they now lead.

The Copote and Wameunche bands of Utahs number about 2,500 souls, and the Jicarilla Apaches about 1,300. The latter band, however, it is proper to mention, has been attached to the Utah agency, under charge of Agent Army, located at Maxwell's Ranch, on the east side of the Coos mountain.

The Copotes and Wameunches range over a large extent of country, reaching from the junction of the Green and Grand rivers on the west, and the Raton mountains on the east, and from the Navajo country on the south to the Dotie mountains on the north—an extent of country covering more than 40,000 square miles, including within its limits the valley of the San Juan, which embraces some of the most fertile lands in either the Colorado or New Mexican territory.

Game, however, has become scarce, and cannot be relied upon as a subsistence for the Indians. The Utahs, as a tribe, are poor, owning no property except a few horses. They live mostly on what they get from the agency. They have no houses, being constantly in the camp; their lodges are made of coarse cotton drilling or Osnaburg, shaped like the Sibley tent; indeed, it is quite certain that the idea of the Sibley tent was obtained from the Indian lodge.

In regard to schools, it will be well to have them as soon as the Indians are located on reservations; the roaming life they now lead renders everything of the kind nearly impracticable.

They profess no religion, but are said to worship the sun; they reckon time by the moon.

I have only one man employed at the agency, and him as Utah interpreter. He speaks the Utah language fluently, and understands the customs and habits of the Indians well, having lived among them for many years.

Very respectfully, your obedient servant,

JOSE ANTONIO MAUSINARES,
Indian Agent.

J. L. COLLINS, Esq.,
Superintendent of Indian Affairs, New Mexico.

No. 53.

INDIAN AGENCY,
Anton Chico, New Mexico, September 25, 1862.

SIR: In obedience to the requirements of the department, I have the honor to submit this my annual report for the present year.

The Mescalero band of Apaches, over whom I have had charge during the year, have been in a continuous state of hostility, and have committed heavy depredations upon the people, which they have been permitted to do without any movement being made against them by the military. During the latter part of August they killed some forty men and six children, and carried a number of children into captivity, some of whom, after keeping them in the mountains for several days, were stripped, and turned loose to find their way back to the settlements.

The property robbed consisted of horses, mules, donkeys, and cattle, besides large numbers of sheep. During the latter part of last year, I was ordered by the superintendent to visit the country of this marauding band, which I did,

accompanied by an escort of soldiers, and although I remained a considerable time in the country where the Indians are most generally found, I did not see a single one, they having either secreted themselves in the mountains or moved off south into the Mexican territory. On my return to the agency I fell in with a party of six Indians, who had in their possession thirty-three head of cattle, which they had stolen; we took the cattle from them, the Indians escaping into the mountains.

In the month of July last a party of eighty men (Mexicans) made an expedition into the country of these Indians in pursuit of stolen property; they returned with four Indian children, captives, and about forty horses and mules, among which were seven of their own previously stolen. The children I took possession of, and turned them over to the military commandant at Fort Union, where they still remain.

About two months ago these Indians gave indications, through the Mexicans, of a desire to make peace, since which time they have not, so far as I am advised, committed any depredations. My experience with the band, however, induces me to receive such propositions with much caution. It will hardly be safe to trust them until they have been punished for past offences, which our present excellent and efficient military commanders seem determined to do, and, as a first step in that direction, it has been determined to reoccupy Fort Stanton. Troops are now moving for that purpose.

The Comanches have occasionally visited the agency of Anton Chico; they profess a desire to be at peace with our people, and, so far as I am advised, have behaved well during the year. The chiefs are anxious that an agent should be appointed to take charge of their people, and promise to use all their influence to keep their young men quiet.

The Navajoes, I am sorry to say, are still in a hopeless state of hostility; they have committed heavy depredations upon the people during the year, murdered many persons, and carried off many women and children as captives. They have driven off over one hundred thousand sheep, and not less than a thousand head of cattle, besides horses and mules to a large amount.

During the month of August they drove off some forty-five thousand sheep from the grazing grounds on the Canadian river. To the east of Anton Chico the citizens collected in force and succeeded in recovering all the sheep, except what had been killed and destroyed by the Indians, and killed some seven or eight Indians.

This condition of the tribes is truly disheartening to the citizens. There is no security for life or property, and unless the government takes immediate steps to stop these depredations the country will be stripped of every species of property it now contains.

The only permanent remedy for these evils is in the colonization of these Indians. Reservations should be at once located and the Indians forced to reside upon them. The Mescalero Apaches have the best lands, and, with the aid of the government, they can soon be made to raise grain and vegetables enough for their support. The Navajoes should also be confined to agricultural districts. They now range over the entire Territory. No part of it is exempt from their marauding incursions.

Very respectfully, your obedient servant,

LORENZO LABADI,

United States of Indian Agent, New Mexico.

J. L. COLLINS, Esq.,

Superintendent of Indian Affairs, New Mexico.

No. 54.

EXECUTIVE OFFICE,
Santa Fé, New Mexico, November 3, 1862.

SIR: Herewith I have the honor to forward to you copies of the following communications for your information:

Letter marked A, to Brigadier General Carleton, commanding department of New Mexico, in relation to furnishing Indians provisions, &c.,

Letter marked B, from General Carleton, in reply.

Letter marked C, from General Carleton to Captain A. F. Garrison, ordering sixty head of cattle to be furnished to the Utahs and Apaches.

Letter marked D, from H. S. Johnson, esq., to the governor of New Mexico, in regard to campaign against the Navajoes.

Letter marked E, from the acting governor, in reply to H. S. Johnson, esq.

Letter marked F, from Captain Shaw, in relation to unauthorized campaigns against the Navajoes.

I have the honor to be, respectfully, your obedient servant,

W. F. M. ARNY,
Acting Governor of New Mexico.

Hon. WM. P. DOLE,

Commissioner of Indian Affairs, Washington.

A.

EXECUTIVE OFFICE,
New Mexico, The Palace, Santa Fé, October 25, 1862.

SIR: It is important that the Mohuache Utahs and the Jicarilla Apaches, who, to the number of about 1,500, are located east of the Rio Grande, and who are compelled to range in the mountains south of Taos mountain, should be kept friendly, as they do now actually possess the balance of power between the citizens of this Territory and the unfriendly Indians—the Mescalero and Southern Apaches and the Navajoes.

If the Utahs and the Jicarilla Apaches are not kept under the control of the agent, there will be no safety for the mails and trains from the States.

A few days ago I held a council with them, and assisted the agent, L. J. Keithley, esq., to issue the annual presents to them, and took the occasion to urge upon them the importance of being at peace with the government of the United States, and discontinuing their expeditions against the Indians of the plains and also against the Navajoes, and that they must not commit any depredations upon the settlers or their stock.

They assured me that if they were supplied with provisions for themselves, their wives, and children, they would remain quiet at or near the agency; but if not supplied with provisions, they would be compelled to steal cattle from the ranchos and corn from the fields of the settlers. The appropriations from the government through the Indian department will not be more than sufficient to supply them with bread for the coming winter; and as the game is scarce, (and if plenty, it would not be wise in the present state of things, to furnish them with ammunition to kill it;) and as I have just been informed that two parties, one of thirty Utahs under Kaneatche, the other of sixty Utahs and Apaches under Ancotash, passed through Taos on their way to the Navajo country on a campaign; and as you have wisely given orders to stop such campaigns—and Superintendent Collins has, I learn, instructed his agents to order back all

Indians who, without authority, attempt to go to that country—I suppose these Utahs and Apaches will be compelled to return in a destitute condition.

The Indian department will not be able, I suppose, to supply them with much more than half what they will require during the winter without an appropriation from Congress, which will be too late for their present necessities; and as this is a matter that will not justify delay, I take the liberty of asking you if you can furnish some beef or meat to those Indians, so as to give them no excuse for depredation.

I am satisfied that an issue of sixteen head of beef cattle per month would probably save to your department the expense of a costly campaign against them, which would be ruinous to the trade and interests of our Territory.

I am also informed that a company of Mexicans are about to leave Taos on an expedition against the Indians. I have sent them word through my informant that they must stay at home.

In view of these proposed expeditions, I would beg leave to suggest that you will have stationed at Guiana Pass sufficient troops to stop all unlawful expeditions into that country, as I am satisfied that these unauthorized expeditions attack the friendly Navajoes, and leave unassailed those who should be punished.

I have the honor to be, very respectfully, your obedient servant,

W. F. M. ARNY,

Acting Governor of New Mexico.

JAMES H. CARLETON,

Brigadier General, Commanding.

B.

HEADQUARTERS DEPARTMENT OF NEW MEXICO,
Santa Fé, New Mexico, October 31, 1862.

GOVERNOR: I have the honor to acknowledge the receipt of your letter of the 25th instant, and to say, in reply, that I have given orders to transfer to the Indian department sixty head of beeves for the Indians whom you represent as being in a destitute condition.

It is out of my power at this moment to establish troops at Guiana Pass; but you may rest assured that I will co-operate with you, by all proper means, to see justice done to friendly Indians as well as to unfriendly Indians.

I am, sir, very respectfully, your obedient servant,

JAMES H. CARLETON,

Brigadier General, Commanding.

His Excellency W. F. M. ARNY,

Acting Governor of New Mexico, Santa Fé, New Mexico.

C.

HEADQUARTERS DEPARTMENT OF NEW MEXICO,
Santa Fé, New Mexico, October 29, 1862.

CAPTAIN: You will purchase sixty head of beef cattle of the chief quartermaster of this department, the cattle to be delivered to you at Fort Union, on the third day of November proximo.

These cattle you will transfer to Colonel James L. Collins, superintendent of Indian affairs, as subsistence for some Utah Indians and Jicarilla Apache

Indians, who are represented by the acting governor of New Mexico and by Colonel Collins to be in want of food for the coming winter.

You will confer with Colonel Collins as to whom you shall transfer these cattle at Fort Union on the third proximo.

I am, captain, very respectfully, your obedient servant,

JAMES H. CARLETON,

Brigadier General, Commanding.

Captain AMOS F. GARRISON,

Chief Commissary, Department of New Mexico.

D.

ALBUQUERQUE, *New Mexico, October 23, 1862.*

SIR: By request of Juan Padilla, of Atrisco, in this county, and other residents of Bernalillo, Valencia, and Socorro counties, I write to you to give permission to the said Padilla and others, to the number of two hundred and upwards, to make a campaign against the Navajo Indians, the said Padilla and others furnishing their own arms, equipments, subsistence, &c., and to take for their compensation such spoil as they may take from said Indians.

I am well acquainted with Juan Padilla. He is an honest, sober, and industrious man, and well acquainted with the Navajo country, wherein he has heretofore served as a guide to the United States troops. He is also a citizen of the United States, of undoubted loyalty. Therefore I recommend that your excellency grant him a license to make such campaign.

Your obedient servant,

H. S. JOHNSON.

His Excellency the GOVERNOR OF NEW MEXICO.

E.

EXECUTIVE OFFICE,

Santa Fé, New Mexico, October 25, 1862.

SIR: Your letter of the 23d instant, asking me to give permission to Juan Padilla and two hundred others to go on an expedition against the Navajo Indians, is received.

In response, I beg leave to say that, in the present condition of the Navajo Indians, it would be improper for me to grant the permission you request. The Mexican and Indian expeditions, such as you propose, do not discriminate between the friendly and the unfriendly Indians, the consequence of which is, that but a few days ago a party of friendly Navajoes, who are located in the settlements, and had placed themselves under the protection of the officers of the government, were attacked and some of them killed.

We have therefore decided that no expedition can be authorized without the concurrence of the commandant of the military department and the superintendent of Indian affairs, who have under their protection some fifteen hundred friendly Navajoes.

We are adopting measures to reach effectually and punish the unfriendly Indians. For this purpose the governor issued his proclamation, dated September 4, (a copy of which I herewith enclose,) and no returns have been made

to this office in answer thereto. As soon as I receive the names of the enrolled militia, and they can be organized according to law, and I can obtain the arms, equipments, and necessary supplies for subsistence, I will issue a proclamation and order the campaign, which I hope will be effectual.

I have the honor to be, respectfully, yours,

W. F. M. ARMY,

Secretary and Acting Governor of New Mexico.

H. S. JOHNSON, Esq.,

Albuquerque, New Mexico.

HEADQUARTERS WESTERN MILITARY DISTRICT,

DEPARTMENT OF NEW MEXICO,

Cubero, New Mexico, October 6, 1862.

SIR: In the instructions for the guidance of the officer commanding this district it states that all parties not legally authorized will be prevented from campaigning against the Navajo Indians, &c., and that due notice of any such force being authorized would be furnished to the commanding officer of this district.

The alcalde of this place is now enrolling militiamen to be ready to march on the 15th of this month against the Navajoes. I have seen the governor's message in relation to the movement, but have no official notice of it.

The attention of the general commanding is respectfully called to this subject, and his orders thereon requested.

Very respectfully, I am, sir, your most obedient servant,

J. C. SHAW,

Captain 1st New Mexico Volunteers, Commanding District.

BEN. C. CUTLER,

A. A. A. General, Headquarters Dept. N. M., Santa Fé, N. M.

OCTOBER 23, 1862.

Respectfully referred for the information of his excellency the governor of New Mexico.

JAMES H. CARLETON,

Brigadier General, Commanding.

Proclamation to the people of New Mexico.

For many years past you have been suffering from the hostile inroads of a perfidious tribe of Indians, who, notwithstanding the efforts of the government to ameliorate their condition and administer to their wants in every respect, do not cease daily to encroach upon the rights and depredate upon the lives and property of the peaceful citizens of New Mexico.

For a long series of years have we been subjected to the rapacity and desolation of this hostile tribe, which has reduced many a wealthy citizen to poverty, and the greater part of our citizens to want and mendicancy; which has murdered hundreds of our people, and carried our women and children into captivity. Almost every family in the Territory has to mourn the loss of some loved one

who has been made to sacrifice his life to these bloodthirsty Navajoes. Our highways are insecure, and the entire country is now invaded and overrun by these rapacious Indians, murdering, robbing, and carrying off whatever may come in their way. Such a state of things cannot and must not longer be endured.

For more than a year past we have been menaced by, and finally suffered the invasion of, Texan forces; to repel which, and relieve the Territory from that more powerful and not less rapacious foe, required all the energies and exhausted the resources of the Territory. During this period of time the Indians have, with impunity, preyed upon every interest of our people, and reduced them to a state of poverty which has not been felt for the last fifty years.

We are now free from all appearance of a confederate force upon our frontier, but the attention of the military will be constantly drawn to any new dangers that may threaten from the same, or any other quarter, and will, consequently, not be able to send into the Indian country any large force for the length of time necessary to subjugate the Indians and recapture the immense amount of property of which our people have been so recently despoiled. This duty pertains to the militia of the Territory; for this purpose you are to organize, never to be disbanded until we have secured indemnity for the past and security for the future.

It belongs to the people to relieve themselves of the evils they are suffering, and administer such chastisement to these marauders as they deserve. We have the power to do so, and that power must be exercised.

Therefore, I, Henry Connelly, governor of the Territory of New Mexico, and commander-in-chief of the militia forces thereof, do hereby order all the field and staff officers of said forces immediately to proceed to the reorganization of the militia, in conformity with the law in force on the subject, and under such rules and regulations as may be prescribed, and to have said militia ready to march to the Navajo country by the 15th of October next. The adjutant general is hereby ordered to carry this proclamation into effect.

Done at Santa Fé the 14th day of September, 1862.

HENRY CONNELLY.

By the governor:

W. F. M. ARNY,

Secretary of New Mexico.

OREGON SUPERINTENDENCY.

No. 55.

OFFICE SUPERINTENDENT OF INDIAN AFFAIRS,

Salem, Oregon, September 2, 1862.

SIR: I have the honor to submit the following report, accompanied with those of the several agents, relative to Indian affairs within this superintendency, hoping that you may be able to glean therefrom such information as your department may require.

I have the gratifying intelligence to communicate that no troubles or difficulties of a serious character have occurred since my last annual report, and I have no reason to apprehend any serious trouble in the future. The military of this district have acted with commendable promptness, and have rendered very material aid to the agents in keeping the Indians on the reservations in subordination. Without their assistance we could have done but little with them. So great has been their desire to return to their old haunts that I believe two-thirds