

had taken a course south to the settlements. The Indians were very eager to overtake the murderers; we rode at a brisk rate, but finding that their course led to the settlements, they thought it would be impossible to overtake them, from the fact that they would steal fresh horses and remount, and our horses had by this time, many of them, broken down.

Again, on or about the 20th instant, a party of Comanches stole from the Indians at this reservation some forty head of horses; I immediately sent a party of thirteen Indians in pursuit, who have not returned up to this date.

These depredations, so frequently occurring, I can attribute to nothing else than the insufficiency of the troops now stationed on this frontier to protect the settlers, and also that protection promised the Indians now settled on this reservation. I have, therefore, thought proper to let small parties go out scouting, as I have been requested, both by the friendly Indians as well as citizens. These depredations, so frequently occurring, have a tendency to keep the Indians excited; otherwise, they are perfectly contented with their new homes.

I have the honor also to enclose you my account current and returns, which I hope, on examination, will be found correct.

Very respectfully, your obedient servant,

S. P. ROSS, *Special Indian Agent.*

ROBERT S. NEIGHBORS,

Supervising Agent Texas Indians, Brazos Agency, Texas.

P. S. During this month there has been no additional arrivals to any of the tribes or bands of Indians now settled on this reservation.

S. P. ROSS.

No. 94.

OFFICE OF SUPERINTENDENT OF INDIAN AFFAIRS,
Santa Fé, September, 1855.

SIR: I have the honor to submit the following brief annual report of the condition of Indian affairs in this superintendency during the past year.

At the date of my last year's report, both the Jicarilla and Mescalero bands of the Apache tribe of Indians were in open hostilities, robbing and murdering our citizens whenever a favorable opportunity presented itself, and the Mohuache band of Utahs were occupying a very equivocal attitude, which soon resulted in hostilities on their part also. These bands continued their depredations with great success until the month of January, 1855, when Lieutenant Sturgis, with a party of dragoons and citizens, followed a party of about ten Mescaleros, who had been committing depredations near this place, whom he overtook, and killed nearly the whole party; and during the month of February, Captain Ewell made an expedition into the Mescalero country, with a party of dragoons, when he was attacked

in the night by the whole band, but defeated the Indians with great loss. Shortly after this last expedition, a delegation of Mescaleros presented themselves to Agent Steck, at Fort Thorn, and sued for peace; but not feeling himself authorized to treat with them, he entered into an armistice until I could be consulted upon the subject; and on the 10th of June I arrived at Fort Thorn, and concluded a treaty of peace with this band, which has heretofore been enclosed to you.

During the last spring and summer several very successful expeditions were made against the Mohuache Utahs and Jicarilla Apaches, under the command of Colonels Fountleroy of the United States army, and St. Vaian of the New Mexican volunteers, which caused these Indians great loss and suffering. Hence, early in August, a delegation on the part of these two bands presented themselves to me and sued for peace also, and I appointed to meet both bands on the Chama river above Abiquiu, on the 10th instant; this meeting was held at the time and place designated, and resulted in treaties of peace with both bands, which treaties will be forwarded to you by the mail which carries this report; and I can now have the pleasure of informing you that peace has once more been restored to this territory.

During the past summer I have also negotiated treaties with the Mimbres Apaches, the Navajoes, and the Capote Utahs; all of which have been enclosed to you, and each treaty contains a stipulation requiring the Indians to *cultivate* the land assigned to them.

When I met the Mescaleros, at Fort Thorn, for the purpose of negotiating a treaty of peace with them, I found these Indians in the most destitute condition imaginable. I relieved their immediate wants, and directed Agent Steck to issue to them a limited amount of provisions, from time to time, as they might apply for relief and their necessities seem to require it. I found the Jicarillas to be in the same destitute condition, and also relieved their most pressing wants, giving to Agent Labadi similar instructions to those given to Agent Steck relative to the Mescaleros.

The Mimbres Apaches are improving their condition. They have commenced planting corn, this season, on a limited scale; and Agent Steck informs me that they seem pleased with their new avocation, and express a great desire to increase their fields next spring. He also informs me that they have fair prospects for good crops. I have confident hope that, with judicious management, these Indians will be in a flourishing condition before the expiration of many years.

The Navajoes may be said to be in a highly flourishing condition. They have remained at home for several years, committing but few depredations, and such as have been committed by the bad men of the tribe are not justified by any considerable number of their people. As an evidence of this, I would refer to the fact of a Navajoe having killed a soldier during the last winter at Fort Defiance, and these Indians having arrested the murderer when Agent Dodge demanded him, and their having hanged him in the presence of their agent and all the officers stationed at that post. These Indians have been cultivating the soil, to a limited extent, for several years, and this season have about five thousand acres of corn under cultivation, together

with a small quantity of wheat, some potatoes, and other vegetables. They have a large number of sheep and horses, some mules and cattle, and are manufacturing blankets, and other articles of clothing, in increased quantities. I feel confident that there has been a decided improvement in the condition of these Indians within the last two years, and I feel equally confident that judicious management and the fostering care of the government will soon make them a prosperous, happy, and contented people.

The Capote Utahs have remained at peace during the continuance of our other Indian difficulties; and have, at length, consented to begin to cultivate the soil for a subsistence, and I have strong hopes of their doing so successfully.

There are several bands of the Apache tribe of Indians inhabiting the country watered by the Gila river and its tributaries, of whom I have but little reliable information, which are generally known by the general name of Gila Apaches, but are divided into four distinct bands, viz: the Mogoyones, Coyoteros, Garroteros, and Tontos. No direct official intercourse has ever been opened with any of these bands that I am apprised of; and the little information in my possession, relative to their condition, habits, &c., is derived from a few travellers and hunters who have passed through their countries, all of whom represent them as roving bands who live by the chase, and commit depredations upon travellers and their more civilized Indian neighbors, whenever a favorable opportunity occurs.

A more intimate knowledge of the Indians of this Territory induces me to correct the estimate of their numbers, contained in my last annual report; and I now submit the following estimate, with the suggestion that the data upon which the number of the several bands called Gila Apaches is based is of an uncertain character.

I estimate the number of Mescaleros at one hundred and fifty warriors, and from seven hundred to seven hundred and fifty souls; the Mimbres Apaches at one hundred and seventy-five warriors, and from eight hundred to eight hundred and fifty souls; the Jicarellas at sixty warriors, and from two hundred and fifty to three hundred souls; the Mogoyones at one hundred and twenty-five warriors, and from five to six hundred souls; the Coyoteros at seven hundred and fifty warriors, and from three to four thousand souls; the Garroteros at one hundred and fifty warriors, and from seven to eight hundred souls; and the Tontos at two hundred warriors, and from eight to nine hundred souls. This estimate would give to the entire Apache tribe a total of about sixteen hundred warriors and seven thousand souls.

The Navajoes I would estimate at fifteen hundred warriors and seven thousand five hundred souls.

The Capote Utahs I would estimate at two hundred and fifty warriors, and one thousand souls; the Mohuaches at two hundred and fifty warriors, and one thousand souls, and the Pahutas at one hundred warriors, and from four to five hundred souls. This would give to the Utah tribe six hundred warriors, and about two thousand five hundred souls.

These estimates embrace all the Indians regularly living within this territory, except the Pueblo Indians, though the Utahs from Utah

Territory, the Kiowas, Cheyennes, and Arapahoes, from the Arkansas river, and the Comanches from Texas, often roam over portions thereof, and would give a total of 3,700 warriors, and 17,000 souls. Add to this estimate from eight to ten thousand Pueblo Indians, and the total Indian population of New Mexico will approximate 26,000, though I am inclined to the opinion that the estimates of travellers, as to the number of the Coyoteros, is too high.

Many depredations have been committed and many lives lost during the past year, of which you have been informed by the monthly reports of the several agents and myself, most of which are attributable to the Jicarilla and Mescalero Apaches, and the Mohuache Utahs, but as peace has been made with these bands strong hopes are entertained that similar occurrences will be rare in future.

During the past summer a party of Comanches, from Texas, visited me at this place, who informed me that they had been driven from their own country by the Osages, and expressed a desire to remain in this Territory permanently, but I declined giving them permission to do so, and directed them to return to their country, which they promised to do. These Indians surrendered to me a Mexican boy whom they had captured in Chihuahua, and otherwise behaved themselves very well whilst in this part of the Territory; but after leaving this place they committed several depredations upon our citizens, as I am informed, and they continue to remain in the southeastern portion of the Territory. I would, therefore, ask for instructions as to their disposition. Are they to be permitted to remain, or be forcibly removed?

I find great difficulty in preventing the sale of ardent spirits to the Indians, and so long as this practice is continued it will be impracticable to keep them in peace and quietude; and I am informed that many of our citizens gamble with them and win the presents given to them, leaving them as destitute as they were before the presents were delivered. As the treaties recently negotiated only extend the intercourse laws relative to the traffic in ardent spirits, over the Indian reservations and the country ceded, I would respectfully recommend that these laws be extended, by act of Congress, over the whole Territory, and that gambling with the Indians be made a penal offence.

The Pueblo Indians continue well disposed, and I can but reiterate the recommendations contained in my last annual report for their benefit, and as there is an act of the legislative assembly of the Territory constituting the several pueblos bodies politic and corporate, with powers to sue and be sued, &c., I would respectfully recommend that Congress should exercise the power reserved to it by the 7th section of the act establishing a territorial government for this Territory, by repealing this act of the legislative assembly. If this is not done, I feel confident that many of these pueblos will be reduced to want and broken up. These Indians are ignorant, and but little removed from a savage state, and interested persons stir up litigation between the different pueblos and between the Mexican population and the pueblos. As an evidence of the extent to which this practice has obtained, I would mention the fact of the pueblos of Acoma and Laguna having over twenty suits now pending between them, and when all

these are decided I fear the lawyers engaged and the officers of the courts will have claims for fees sufficient to cover all that the two pueblos are worth.

After concluding the treaties of peace with the Mohuache Utahs and Jicarilla Apaches, these Indians surrendered to me four Mexican boys who had been made prisoners during hostilities, who have been restored by me to their friends. I also delivered to the Jicarillas three of their people made captive by our troops, and will in a few days restore to the Mohuaches several children of this tribe captured by us.

Within the last year I have enclosed to you a large amount of claims of the citizens of this Territory for depredations charged to have been committed by the Indians. Many of these claims are doubtless good and valid against the government, and as the claimants are in many instances poor, and can ill afford to wait longer for their money, I would recommend their speedy adjustment. And as it is utterly impossible for the Indians to make restitution or satisfaction for these depredations, and to make a demand as the law requires would prove a source of great irritation, and would be attended with some cost, without any corresponding benefit arising therefrom, I would respectfully recommend that the intercourse act be so amended as to dispense with demands for satisfaction of claims arising previous to the conclusion of the late treaties.

I herewith enclose you the annual reports of Agents Dodge and Myers, the only two thus far received, and also my annual estimates.

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

D. MERRIWETHER,

Governor and Sup't of Indians Affairs in New Mexico.

Hon. G. W. MANYPENNY,

Commissioner of Indian Affairs, Washington City, D. C.

No. 95.

[Translation.]

ABIQUIU AGENCY, NEW MEXICO,

Cañon de Reaño, August 31, 1855.

SIR: I have the honor to report that, about the first of this month, I collected the Capote Utahs and the principal men of the Navajoes that live in the Capote Utah country.

I brought these Indians into my agency at Abiquiu on the 8th instant, where they were to meet his excellency Governor Merriwether, and after they had expressed their desire to remain at peace with the United States, all the principal men of the tribe signed a treaty of peace with pleasure, as presented to them by his excellency, obligating themselves to commence cultivating the soil in the spring of the coming year.

They understood me, and were satisfied with each article of the treaty.