

9-26-1890

Thomas E. Owen. Letter from the Secretary of the Interior, transmitting a copy of a communication from the Commissioner of Indian Affairs, and also affidavits relative to the depredation claim of Thomas E. Owen.

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#### Recommended Citation

H.R. Exec. Doc. No. 469, 51st Cong., 1st Sess. (1890)

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THOMAS E. OWEN.

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LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

*A copy of a communication from the Commissioner of Indian Affairs, and also affidavits relative to the depredation claim of Thomas E. Owen.*

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SEPTEMBER 26, 1890.—Referred to the Committee on Indian Depredation Claims.

DEPARTMENT OF THE INTERIOR,  
*Washington, September 24, 1890.*

SIR: I have the honor to transmit herewith a copy of a communication of the 18th instant from the Commissioner of Indian Affairs, inclosing affidavits of Thomas E. Owen, Alexander Wamsley, and G. W. Thompson, relative to the depredation claim of Thomas E. Owen, which was submitted to Congress, January 7, 1887.

In compliance with the request of the Commissioner, I have the honor to forward the said affidavits for filing with said claim.

Very respectfully,

JOHN W. NOBLE,  
*Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., September 18, 1890.*

SIR: I have the honor to inclose herewith additional testimony in depredation claim, No. 1338, of Thomas E. Owen, as follows: Supplementary affidavit of Thomas E. Owen, affidavit of Alexander Wamsley, and affidavit of G. W. Thompson, which testimony has been recently filed in this office by Glen W. Cooper, attorney for the claimant. This claim was reported to Congress, January, 1887, (H. R. Ex. Doc. 77, Forty-ninth Congress, second session, and I therefore respectfully recommend that the papers herewith be also transmitted to Congress for filing with the claim to which they relate. It is deemed proper to add

that upon examination of the affidavits inclosed, nothing appears therein which would warrant this Office in changing the conclusions heretofore reached as to the merits of this claim.

Very respectfully,

R. V. BELT,  
*Acting Commissioner.*

The SECRETARY OF THE INTERIOR.

TERRITORY OF NEW MEXICO, *County of Colfax, ss:*

Before me, Homer E. Byler, a notary public in and for the county aforesaid, personally appeared Thomas E. Owen, who being duly sworn according to law, deposes and says that in the matter of his claim, No. 1338, filed in the Interior Department, for depredation of Arapahoe Indians in 1872, the stock taken was two horses, two mares, and one mule. One of the horses, for which \$250 is charged in my claim, was at the time five years' old, color bay, height 16 hands, and was foaled and raised in Kentucky. I bought him and his mate in Lexington, Mo., for my carriage team. They were blood bays and fine drivers; and I bought them from a man who had just brought them from Kentucky, but I do not now remember his name.

The pair cost me then above \$400, and this was about six months before this horse was taken by these Indians. This horse was worth at least \$250. The other horse, for which \$75 was charged, was a brown half-breed horse, a very good horse, which was worth all the money charged for him, and it cost me \$60. The black mare, for which \$100 is charged, cost me \$80 in Kansas. The mare, for which \$125 is charged, was raised in Kansas and cost me \$100; but both animals were, at the time they were taken, in good condition and worth considerable more than what I had paid for them.

The mule taken was 14 hands high and was worth \$100 or more. The prices put on these animals are not in the least too large, but are what I valued them at the time, and I would not have sold them for less if I could have avoided it. I owned no Mexico ponies and had none amongst my stock at the time it was taken.

THOMAS E. OWEN.

Sworn to and subscribed before me, this day, by the above-named affiant; and I further certify that I read said affidavit to said official, and acquainted him with its contents before he subscribed and made oath thereto, and I further certify that I am in no wise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and official seal this 3d day of September A. D. 1888.

[SEAL.]

HOMER E. BYLER,  
*Notary Public.*

Commission expires November 21, 1888.

TERRITORY OF NEW MEXICO, *County of Colfax, ss.*

In the claim of Thomas E. Owen, for Indian depredations, personally came before me, a ——— in and for the aforesaid county and Territory, the affiant, Alexis Wamsley, of Clayton, in the county of Colfax, Territory of New Mexico, who being first duly sworn, declares in relation to the aforesaid claim, as follows, viz.:

That on or about the ——— day of September, 1872, property belonging to the said claimant, as below mentioned, was taken by Indians of the Arapahoe tribe at or near Dry Cimarron, in Colfax county, in the Territory of New Mexico, as I was at the time it occurred informed by reliable parties who are not interested and whom as well as the claimant I believed stated the truth.

The following is a list of the property as aforesaid: 1 bay horse (American), 1 black mare (American), 1 black mare, 1 brown horse, 1 black mule, of the value as hereafter stated.

The bay horse was large, about 16 hands high, and I believe he was worth then and there about \$250 at least; his age was about five years or so. The one mare was worth \$125, and the other worth \$100, about. The brown horse was worth at least \$75, I think, and the mule at least \$75. These horses and mares were American bred and not native or bronchos. This stock being in all of the value of \$625.

The foregoing is a full statement of the amount of the property taken as stated.

That the several articles were of the value therein charged at the time and place the same were taken; that I acquired the information above stated as follows: By

seeing the said stock on the place of the claimant at different times in 1871 and 1872, and shortly before it was taken by said Indians, and that I have no interest in said claim and am not concerned in its prosecution.

ALEXIS WAMSLEY.

TERRITORY OF NEW MEXICO, *County of Colfax, ss.*

Sworn to and subscribed before me, this day, by the above-named affiant; and I further certify that I read said affidavit to said affiant and acquainted him with its contents before he subscribed and made oath thereto, and I further certify that I am in nowise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and official seal this 3d day of September, 1888.

[SEAL.]

HOMER E. BYLER,  
*Notary Public.*

Commission expires November 21, 1891.

STATE OF COLORADO, *County of Las Animas.*

In the matter of claim of Thomas E. Owen, now of Capulen, New Mexico, and formerly of Colorado, for loss of horses and mule in 1872, by depredations of Arapahoe Indians, before me, a notary public, in and for the State and county aforesaid, personally appeared G. W. Thompson, of said county, who, being duly sworn according to law deposes and says that he is personally acquainted with the claimant, Thomas E. Owen, and has known him over sixteen years. That he knows that in 1872 the claimant owned a fine bay horse which deponent saw at different times on claimant's ranch in Colorado, and which, amongst other stock (as the deponent was informed and believes), the claimant had taken from him by the Arapahoe Indians in 1872. The said horse was a bay, and aged about seven to nine years in 1872, and in my judgment was worth \$250. The horse was an American horse and a good driver. I am a judge of the value of horses, being a dealer in livestock, and am at present running a stock farm in Colorado at Trinidad.

G. W. THOMPSON.

Sworn and subscribed before me this 21st day of September, A. D. 1888.

[SEAL.]

JOHN W. DOUTHIT,  
*Notary Public.*

Commission expires September 11, A. D. 1890.

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