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**Letter from the Secretary of the Interior, transmitting, in compliance with a Senate resolution of December 14, 1877, information in relation to the location of bands of Apache and Ute Indians at Cimarron, N. Mex.**

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

*In compliance with a Senate resolution of December 11, 1877, information in relation to the location of bands of Apache and Ute Indians at Cimarron, N. Mex.,*

JANUARY 14, 1878.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,  
*Washington, January 11, 1878.*

SIR: In compliance with the terms of a resolution of the Senate adopted December 11, 1877, I transmit herewith a communication from the Commissioner of Indian Affairs, making a statement of the facts as regards the location of bands of Ute and Apache Indians at Cimarron, N. Mex., and inclosing copies of all letters, telegrams, and documents on file in relation to the depredations of said Indians.

I have the honor to be, sir, with great respect, your obedient servant,  
C. SCHURZ,  
*Secretary of the Interior.*

The VICE-PRESIDENT.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, December 15, 1877.*

SIR: I have the honor to acknowledge the receipt, by your reference, of the following resolution of the Senate, dated 11th instant:

That the Secretary of the Interior be, and he is hereby, directed to report to the Senate by what authority the bands of Ute and Apache Indians are located, and an agency established, at Cimarron, N. Mex.; and also to transmit copies of all letters, telegrams, or other documents on file in his department, calling attention to the depredations of these Indians, and asking for their removal to their respective reservations.

In obedience to your direction for a report upon the resolution, I have to state that prior to 1861 the Muache Utes, who numbered about 566, and the Jicarilla Apaches, estimated at 960, were located on the west side of the Taos Mountain, at Taos, N. Mex. The valley of the Taos at that time was more densely populated with Americans,

Mexicans, and Pueblo Indians than probably any other portion of New Mexico, and there was an extensive whisky traffic carried on with the Indians, particularly when they made their periodical visits to the agency to receive their presents, which they generally exchanged for liquor. The results were disastrous, as there was no law to reach those who were engaged in the traffic. In order to remove these two bands of Indians from the deleterious influences surrounding them at Taos, and to save them from utter extinction, it was deemed best to secure a location for them on the east side of the mountains, on a stream called Ponial, which empties into the Cimarron; the Cimarron Valley at that time being but sparsely settled with a few American and Mexican families engaged in agricultural and pastoral pursuits, who were disposed to be on good terms with the Indians. Accordingly, in 1862, their agent was authorized to lease, of a landholder by the name of Lucien B. Maxwell, a tract of land containing twelve hundred and eighty acres in said valley, in the county of Mora, New Mexico, at the nominal price of \$20 per annum, for the term of twenty-five years, the government reserving the right to relinquish the lands at the expiration of five years from the date of the lease or at any time thereafter, and the said Maxwell to take the buildings erected for agency uses at their appraised value. Copies of the lease and accompanying papers are herewith.

This location was regarded as temporary in its character, it being the policy and determination of the government to place these bands of Indians upon reservations.

On the 30th of September, 1876, it was deemed best to discontinue the Cimarron agency, and its affairs were temporarily placed under the supervision of United States Agent Benjamin M. Thomas, of the Pueblo agency, with merely a farmer in charge at Cimarron, until the Indians could be removed. It was the design of the department to place the Utes at Cimarron upon the northern portion of the Ute reservation, in Colorado, under charge of the agent of the White River agency, but they were extremely averse to going to either of the agencies in Colorado.

By the treaty of 1868, article 4, page 983, "Revision of Indian Treaties," the government agreed to establish an agency for the Muache and other bands of Utes on the Rio de los Pinos, in the southern portion of the said Ute reservation, and in compliance with said article, Congress made provision at the last regular session to establish that agency, designated as the Southern Ute agency, and \$10,000 was appropriated for buildings at the agency, and other provisions made for salaries of agents and employes, for subsistence of Indians, &c. In April last, F. A. Weaver was appointed agent at this agency, and in connection with B. M. Thomas, under proper instructions from this office, selected a location for the agency on the Rio de los Pinos, as provided in the treaty. As the necessary preparations have been consummated by the agent to take charge of the Ute Indians belonging to his agency, it is proper to state that the officer will, at an early day, make the necessary recommendations for their removal, and also that the Apaches who receive their supplies at Cimarron, be removed to the Mescalero agency in the southern part of New Mexico.

By the last census taken of the Indians at the Cimarron agency, at the commencement of the present fiscal year, the number of Utes enrolled was 307, and of Jicarilla Apaches 442, making a total of 749, and it is believed that with the aid of the military the removal can be effected without difficulty.

Herewith are respectfully submitted copies of all letters, reports, tel-

egrams, and other documents on file in this office, as required by the resolution of the Senate, and the resolution is herewith returned.

Very respectfully, your obedient servant,

A. BELL,  
*Acting Commissioner.*

The Hon. the SECRETARY OF THE INERIOR.

WASHINGTON CITY, D. C., *January 3, 1862.*

SIR: Permit me to call the attention of your department to the fact that there are no buildings of any kind furnished by the government for the residence of the agent and interpreter, and the accommodation of the Indians of my agency. The band of Utahs and Apaches of New Mexico, which are under the charge of this agency, are supposed to number about eighteen hundred persons. Several of the old women and children are almost constantly at the agency, and there is no place for them. The compensation of the agent is not sufficient to enable him to erect buildings and conveniences for the safe storing of the articles necessary to be issued by him.

As I desire to remove my family to the agency as early as possible next spring, and devote myself to the mental, moral, and physical improvement of the Indians under my charge, by the education of the children, in which I will be assisted by my family, it will be necessary to have a room erected suited for a council-chamber and school-room. My experience with the Indians has taught me that the only hope for the improvement and elevation of the red man is to educate the children, and form in them the taste for civilized life when young, and thus change the habits of the tribe.

The Indians under my charge have been accustomed to roam where they please, and engage in predatory warfare. It is therefore very difficult to control them, and more difficult to change their habits. Several of them, however, have expressed a willingness to leave their children with me so that I could take care of them. I desire to do this, but have not the means or facilities. I therefore beg leave to ask your department to authorize the erection of buildings at Cimarron, the present location of the agency. For this purpose I take the liberty to present the following plan:

A one-story building, 50 feet long by 20 feet wide, to contain two rooms, one to be used as cook-room and council-chamber for the Indians, the other for school-room and office of the agent, to be constructed of hewed logs, and plastered inside and outside. Another building, to contain six rooms, for residence of agent and interpreter, and for store-rooms for goods; this building to be constructed of adobes and plastered. The cost of the construction of these buildings will not exceed the sum of \$2,000. Lands sufficient for the purposes of the agency can be leased at a nominal rent from the owners of the grant, who, I suppose, will agree to pay a fair valuation for the improvements at any time after the expiration of five years, if the government should desire to remove the Indians and agency from that location to a reservation.

I have the honor to be, respectfully, yours,

W. F. M. ARNY,  
*United States Indian Agent, New Mexico.*

Hon. W. P. DOLE,  
*Commissioner Indian Affairs.*

DEPARTMENT OF THE INTERIOR,  
OFFICE INDIAN AFFAIRS,  
*January 9, 1862.*

SIR: Your communication to this office of the 3d instant has been received and due consideration given to the statements and propositions it contains.

You represent an indispensable necessity for the immediate erection of two buildings at your present agency-site on the Cimarron, for the storage of the goods for distribution intrusted to your charge, for the accommodation of the agent, and for the holding of councils with the Indians, and a school-room for Indian children.

One of these buildings is to be of one story and of a length of 50 feet by 20 feet in width, and is to be divided into two apartments. The second building you propose is to contain six rooms. You estimate that the cost of both buildings will not exceed \$2,000. Confiding in your representations, I accede to your request, and will make the necessary requisition on the Treasury for \$2,000 to be paid to you for the objects above mentioned.

In this, and in all similar cases, where it is practicable, care should be taken to place agency-buildings on land the property of the United States, or, where that is not practicable, on land leased at a nominal rent for a period not less than twenty-five years, with a provision in the contract made with the proprietor of the land, that he will, after the expiration of five years, pay a fair consideration for the buildings and other im-

provements placed on his land, whenever the United States may determine to relinquish possession thereof.

If, therefore, you should find yourself unable to procure a site for the proposed buildings, either on land the property of the government, or which can be leased under the conditions here stated, you will suspend all progress in reference to the expenditure of the sum above placed in your hands, and report to this office.

It being the policy of the department to gather the Indian tribes of New Mexico within suitable reservations at an early day, Congress has been applied to by this office for the appropriations requisite to the measure.

As it is not doubted that Congress will favorably respond, you will be notified in due time to suspend operations on the buildings contemplated if it should be determined to abandon the location at the present site of your agency on the Cimarron.

Very respectfully, your obedient servant,

WM. P. DOLE,  
*Commissioner.*

WM. F. M. ARNY, Esq.,  
*United States Indian Agent, present.*

This indenture, made the tenth day of March, in the year of our Lord one thousand eight hundred and sixty-two, between Lucien B. Maxwell, of the county of Mora and Territory of New Mexico, of the one part, and W. F. M. Arny, United States Indian agent for and in behalf of the Government of the United States, of the other part, witnesseth: That for and in consideration of the rents, covenants, and agreements hereinafter reserved and contained, and which on the part of the Government of the United States are to be paid, done and performed, the said Lucien B. Maxwell hath demised, granted, and to farm let unto the said Government of the United States all that certain tract or parcel of land, containing twelve hundred and eighty acres, situated, lying, and being a portion of "the Ryado grant," in the county of Mora and Territory of New Mexico, and described as follows, to wit: Beginning at a pinon tree on the east end of the Ponas Mountain and west of the mail-road from the Raton Mountain to Fort Union and running thence one mile south across the Tonias Creek, thence west two miles up said creek, thence north one mile across said creek to the base of said Ponas Mountain thence in an easterly direction two miles along the base of said mountain to the place of beginning. To have and to hold the said tract and parcel of land, with the appurtenances thereto belonging, unto the said Government of the United States, from the first day of April, in the year one thousand eight hundred and sixty-two, and for and during the term of twenty-five years next ensuing and fully to be completed and ended, yielding and paying therefor twenty dollars yearly, the first payment of which will be due and payable on the 31st day of March, eighteen hundred and sixty-three and payment thereafter on each 31st day of March, during said term of twenty-five years, unto the said Lucien B. Maxwell, his heirs or assigns. And the said W. F. M. Arny, United States Indian agent, for and in behalf of the Government of the United States, doth hereby covenant, promise, and agree to and with the said Lucien B. Maxwell, his heirs and assigns, in manner following, that is to say, that the said United States Government shall and will well and truly pay, or cause to be paid, unto the said Lucien B. Maxwell, his heirs and assigns, the yearly rent of twenty dollars, in the manner heretofore limited and appointed according to the reservation thereof and the true intent and meaning of these presents. And the said Lucien B. Maxwell, for himself, his heirs, assigns, executors, and administrators, doth covenant, promise, and agree to and with the said United States Government, that the said United States Government paying the said yearly rent hereinbefore and hereby reserved, and observing performing, and keeping all and singular the covenants and agreement herein contained, on the part of the United States to be observed, according to the true intent and meaning of these presents, shall, and may lawfully, peaceably, and quietly have hold, use, occupy, possess, and enjoy the said described piece, parcel, or tract of land, as hereinbefore mentioned, for the term of twenty-five years, hereby granted without any let, suit, hindrance, eviction, ejection, molestation, or interruption whatsoever of or by the said Lucien B. Maxwell, his heirs or assigns, or of or by any person or persons whatsoever lawfully claiming from or under him, them or any of them. And it is also agreed by and between the aforesaid contracting parties, that if at the expiration of the term of five years from the date hereof, or at any time thereafter, the United States Government, by the Commissioner of Indian Affairs, shall determine to relinquish possession of the within described tract or parcel of land, it may be done, and the yearly rent shall from the date of said relinquishment cease, and the said Lucien B. Maxwell hereby agrees for himself, his heirs and assigns, to pay to the United States Government a fair consideration for the buildings and other improvements placed on said land and thereon at the time of the notice of the aforesaid relinquishment, provided the said buildings shall not exceed the sum of two thousand dollars.

the valuation of the improvements to be determined by three disinterested persons to be chosen by the aforesaid contracting parties. In witness whereof the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

LUCIEN B. MAXWELL. [SEAL.]  
W. F. M. ARMY, [SEAL.]

*United States Indian Agent, New Mexico, in behalf of the Govt. of the United States.*

Witness:

GEO. A. ROSS.

A. H. MAYER.

Approved:

J. F. COLLINS,

*Superintendent Indian Affairs, New Mexico.*

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UNITED STATES SENATE CHAMBER,  
*Washington, January 30, 1877.*

SIR: Numerous letters from citizens of Colorado convey the intelligence that, for months past, the Weeminuche and other bands of Ute Indians, roaming through the southern portion of the State, have been levying contributions and spreading terror among the inhabitants thereof. On account of some grievance, real or fancied, these Indians decline to visit the White River agency, some two hundred miles distant, for supplies, and consequently forage on our citizens. As a measure of protection and as a duty the government owes its pioneers, I join them in asking that an agency be established at some suitable point on the southern part of the Ute reservation, and that an agent be sent there to superintend and control these lawless marauders. The 4th article of a treaty negotiated by Felix R. Brunot, dated September 13, 1873, provides as follows: "The United States agrees, so soon as the President may deem it necessary or expedient, to erect proper buildings and establish an agency for the Weeminuche, Muache, and Capote bands of Ute Indians, at some suitable point to be hereafter selected on the southern part of the Ute reservation."

I have the honor to ask that your Excellency will take such steps in this connection as will carry out the above treaty and afford protection to the citizens of Colorado, whose rights are now the subject of Indian spoliations.

I have the honor to be, your obedient servant,

JAMES B. BELFORD.

To His Excellency U. S. GRANT,  
*President of the United States.*

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DEPARTMENT INTERIOR, OFFICE INDIAN AFFAIRS,  
*Washington, February 5, 1877.*

SIR: I have the honor to acknowledge the receipt by department reference of your communication of the 30th ultimo, addressed to the President, inviting attention to the 4th article of the Brunot agreement of September 13, 1873, with the Ute Indians, wherein the United States agrees to erect proper buildings and establish an agency for the Weeminuche, Muache, and Capote bands of Ute Indians, at some suitable point on the southern part of the Ute reservation, so soon as the President may deem it necessary or expedient.

In reply thereto you are advised that a report was submitted to the honorable the Secretary of the Interior on this subject on the 6th ultimo, stating that, in the opinion of this office, the time had arrived when this provision of said agreement should be carried into effect, and recommending that Congress be asked to make the necessary appropriation, an estimate of the amount required for the establishment of said agency being submitted therewith.

The approval of the President having been given on the 9th ultimo, the subject was then submitted, with favorable recommendation by the honorable Secretary of the Interior, on the 12th ultimo, to the Hon. W. B. Allison, chairman of the Senate Committee on Indian Affairs, and the Speaker of the House of Representatives, for appropriate action by Congress.

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

S. A. GALPIN,  
*Acting Commissioner.*

Hon. JAS. B. BELFORD,  
*House of Representatives, Washington, D. C.*

UNITED STATES SENATE CHAMBER,  
Washington, October 1, 1877.

SIR: I have the honor to call your attention to the bands of Indians who assume to be permanently located at and near Cimarron, N. Mex.

There is a band of the tribe of Apaches, whose reservation lies around Fort Stanton, nearly three hundred miles distant. This band is said to number about three hundred and fifty.

There is another band of Utes which, I believe, number about four hundred, who belong properly on the larger reservation of that tribe in Western Colorado, quite four hundred miles from Cimarron. There is no reservation whatever in the vicinity of Cimarron, where these Indians live, and believe it is the only instance where Indians who have reservations are permitted to roam at will over a vast area of occupied country and spend their whole time among the settlers.

I believe these two bands of Indians, numbering altogether about seven hundred, are unlawfully permitted to remain in a country owned and occupied by white people, commit more depredations in the way of horse-stealing, killing cattle and sheep, than any similar number of Indians in the country.

They are most insolent in their demeanor and demands. They will ride up to a settler's house in lots of ten or twenty and order food to be prepared for them; if the settler has not got it, he has to get it.

They go into a herd of cattle or sheep in the presence of the owner and kill as many as they want with impunity. I speak of this matter because I have had some personal experience with them this summer, and I think it is due the citizens of that country, as well as the government, that these Indians be removed to their respective reservations, and trust you will call the attention of Congress to the necessity of doing so.

Very truly,

S. W. DORSEY.

Hon. C. SCHURZ,  
*Secretary of the Interior.*

*Extract from annual report of United States Indian Agent B. M. Thomas.*

OFFICE OF PUEBLO INDIAN AGENCY,  
*Santa Fé, N. Mex., August 20, 1877.*

\* \* \* By direction of the Hon. Commissioner of Indian Affairs, I took charge of the Cimarron agency, New Mexico, on the 1st of October, 1876. The Indians of that agency number 749; of this number, 307 are Muache Utes, and 442 are Jicarilla Apaches. They are all vagabonds, and there is no hope of improving their condition as long as they remain at their present location, and they will not go elsewhere until they are compelled to by a large military force. They do nothing for their own support except a little hunting. The government gives them a little clothing and other presents, and issues them weekly rations of beef and flour. They have no reservation where they are, and the agency is located in a small county town, where the Indians can usually procure all the whisky they can pay for. The agency has been a success during the year, in that it has kept the Indians quiet, and so protected the settlers in person and property at the least possible cost.

In May last, by direction of the honorable Commissioner, I assisted Agent F. H. Weaver in selecting a location for the Southern Ute agency, Colorado, about to be established. If that agency proves to be a success it will be the proper place for the Utes of Cimarron, as the Mescalero Apache agency, New Mexico, is the proper place for the Cimarron Apaches.

It is hoped that in time there may arise a favorable opportunity for so disposing of the Cimarron agency.

Very respectfully, your obedient servant,

B. M. THOMAS,

*United States Indian Agent, Pueblo and Cimarron Agencies.*  
THE COMMISSIONER INDIAN AFFAIRS.

[Telegram.]

SANTA FÉ, N. MEX., October 2, 1877.

COMMISSIONER OF INDIAN AFFAIRS, Washington, D. C.:

Can arrange with military commander for removal of Cimarron Indians; removal necessary; will you authorize it? Same should be done with Abiquiu. Give me some power and discretion. Warm Springs renegades have surrendered at Wingate. Send them to Fort Stanton reservation.

VANDEVER,  
*Inspector.*

*Circular-letter addressed to agencies in New Mexico, and agencies adjacent thereto.*

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
September 12, 1877.

SIR: Reliable reports have been received at this office to the effect that a large number of Utes from the Los Pinos and White River agencies have left their reservations and have been committing depredations in the country about Cimarron, N. Mex.

You are directed to take immediate steps to ascertain the facts in regard to these reports, and to adopt such stringent measures as shall prove effectual to compel these Indians to return to their reservations and remain there. They should be made to understand that if they do not regard the requirements of the department in this matter, but continue their raids through the country, they will be subject to arrest and punishment by the military.

Report the facts to this office at an early day. Why are these Indians allowed to roam through the country outside the reservation?

Very respectfully,

J. Q. SMITH,  
Commissioner.

STEVENS.

OFFICE MESCALERO APACHE INDIAN AGENCY,  
South Fork, Lincoln County, N. Mex., September 27, 1877.

SIR: In reply to your communication "C," September 12, I would respectfully state that I consider it impossible for any Indians of this reservation to have committed depredations in the vicinity of Cimarron, for the following reasons:

1st. Cimarron is distant from this agency at least 450 miles by the nearest road; the country through which they would have to pass is thickly settled, and there are several Mexican towns on the road. If any Indians had passed through any of these towns I would have been notified of the fact, but up to this date no notice has reached this office.

2d. Fort Union lies between here and Cimarron, at a distance of only fifty miles from the latter place; if, therefore, any depredations had been committed at Cimarron they are in telegraphic communication with the post, and could have called on the military to follow the trail and capture the offenders. Being fifty miles nearer to this reservation than the scene of the alleged depredations they could certainly have cut the Indians off and kept them from returning to this agency.

3d. There have at no time during the last three months been more than twenty-one bucks absent from their weekly issues, and such a small band would not dare to start out on a raid and place two large military posts (Fort Stanton and Fort Union) between them and their agency. It would be impossible for any other Indians to have left the reservation, go to Cimarron, and return so as not to miss their issue. I would here remark that had any depredations been committed by the Indians under my charge it would have been the first duty of the sufferers to have notified me, so that I could have taken immediate steps to discover and punish the perpetrators. As the matter now stands, your letter of September 12 is the first notice I have received.

I would, however, for my own satisfaction respectfully request to be furnished with the dates and particulars of the alleged depredations as reported to your office, so that I may give this matter a thorough investigation. It has not been the habit of these Indians to roam in that direction, on account of the many settlements and the proximity of Forts Stanton and Union. I am positive that there is some mistake as regards the identity of the offenders. If furnished with dates and other particulars I may be able to report more fully. General Vandever being still in the Territory I would respectfully suggest that the matter be referred to him for investigation.

I am, sir, your obedient servant,

F. C. GODFREY,  
United States Indian Agent.

Hon. JNO. Q. SMITH,  
Commissioner of Indian Affairs, Washington, D. C.

WHITE EARTH, COLO., October 2, 1877.

SIR: I am in receipt of your letter of September 12, 1877, "C," stating "that reliable reports have been received at this office to the effect that a large number of Utes from the Los Pinos and White River agencies have left their reservations, and have been committing depredations in the country about Cimarron, N. Mex., and directing me to take immediate steps to ascertain the facts in regard to these reports, &c., and to report to the Indian Office at an early day.

In reply I have to say that I know of no Indians belonging to this agency as being in that section of the country. About six weeks ago, one Indian, Tosakestz by name,



a half-witted fellow, went to what the Indians here call the Cimarron country, to see a brother; he has returned here. He is not a person to be engaged in any depredation.

About seven weeks ago eight lodges of Indians went from this agency to the Un-sapahgu agency, and thence to the Navajo country to trade for blankets for themselves and for others. They were absent *only about five weeks*, and brought back a large number of these blankets. This trip, for this *special purpose*, is a regular yearly affair with these Indians, different Indians going different years, and about the same number. I know of no other Indians from here having been in the direction referred to. You ask "Why are these Indians allowed to roam through the country outside of the reservation?" I reply that I do not allow them to thus roam; on the contrary I do all I can, constantly, to keep them upon their reserve. This I have told the department repeatedly and repeatedly within the last year. When the Indians go off it is in the face and in opposition of all that I can do to keep them at home. If the department wishes me to state what I think is the reason or cause why so many of the White River Indians have been off their reserve the past year (north and east, *not south*, however), I can state again, what I have repeatedly said to the department, that I think it is mainly because—

1st. They have no annuity goods for *two years* past.

2d. They have had not sufficient supplies, and lately none except beef.

3d. They have not been allowed to trade for guns and ammunition upon the reserve, except for special and undesirable kind, while at the same time they could get *anything* they wanted, in any quantity, off their reserve.

4th. Their trading-post upon the reserve has not been supplied the past year in articles desired, while at the same time numerous trading-posts have been established near the reserve at which they could procure what they wished, and every inducement has been extended to them to visit them.

Their own post upon their reserve has now been entirely abandoned by the trader as unprofitable.

They have been obliged to go somewhere to get the necessaries of life.

In regard to the complaints so frequently made the past summer, of which you have written, of a general firing the country for malicious purpose, I do not hesitate to repeat that I think they are very unjust and unwarranted as regards the Ute Indians of this agency.

Complaints of such fires come to me through the papers from all parts of the country, where no Indians could have been. I inclose to you three separate paragraphs which I cut from different parts of a single Cheyenne paper of September 20. I could send you no end of such paragraphs.

It has been a very and unusually dry summer. Everything in this valley has been literally burned up by the sun. Cracks in the earth from two to five inches wide and several feet deep in many places, caused by the drought; the season has been especially favorable to the spread of fires. Upon receiving one of your letters I stood at the agency gate and counted six different fires in different directions, on a single evening—one very extensive—all upon the reserve. And it should be known and considered that this country has been considered of little value by those who have lived in it, except for stock; that the almost universal sage-brush is the great evil; that when it is once burned off it does not come up again, but good grass does, and that stock-men are themselves repeatedly setting fires for the purpose of exterminating the sage-brush (the Indians have done it for a hundred years, perhaps). Had I not had my hands full of other work I would have taken advantage of this peculiarly dry season, and set all my hands to work burning sage-brush in this valley. I think in many cases fires that white men have been secretly glad of have been laid to Indians and complained of as a great depredation.

Again there are hundreds of parties of white men traveling through the country who regularly build their camp-fires, and many of them are not extinguished upon leaving camp, and spread into large fires.

One of the best Indians of this agency, whose word I consider as reliable as that of a majority of the white men of this country, who went from this agency to the Bear River Valley to inquire into the origin of the fires complained of, returned and stated that he himself saw white men start two such fires in one day while he was absent from the agency only two nights.

The mail-carrier to this agency, who is a resident in the Snake River Valley (next north of Bear), has stated here that the stock-men of the Snake Valley have been engaged throughout the summer in this work of burning off the sage-brush throughout that country. One stock-man with his hands (who had cattle on both Snake and Bear) has been at this work.

I trust that this matter will be fully considered before condemning those Indians without reservation,

Very respectfully your obedient servant,

E. H. DANFORTH,  
United States Indian Agent.

Hon. JNO. Q. SMITH,  
Commissioner of Indian Affairs, Washington, D. C.

DEPARTMENT INTERIOR, OFFICE INDIAN AFFAIRS,  
Washington, October 19, 1877.

SIR: On the 27th of April last the necessary instructions were transmitted to you in regard to the location of the Southern Ute agency, and you were directed to make report of your progress in the work, with such suggestions and recommendations as might be deemed proper for the consideration and action of this office. The following is also embraced in your instructions:

"When the agency shall have been established your next duty will be the gathering of these Indians, who properly are to be embraced in it," &c.

On June 26 following, you were advised of the receipt of the report of yourself and Agent Thomas respecting the location of the agency; and also the approval of the recommendations therein made in regard to said location. Since the date of said report no communications have been received from you in regard to the progress made under office instructions referred to, nor have any monthly reports been made by you, as required in pamphlet copy of printed instructions accompanying the other instructions referred to.

Great complaint is made in regard to many of the Indians belonging to your agency, of their roaming habits, depredations committed by them, &c., especially against those about Cimarron and Abiquiu, and it is important that measures be taken to collect the Indians belonging to your agency upon the reservation, and that the office be informed with as little delay as possible of the progress made in the work, the number of Indians now upon the reservation, and such other matters as are important to a correct knowledge of affairs at your agency.

Very respectfully,

E. A. HAYT,  
Commissioner.

FRANCIS H. WEAVER,  
United States Indian Agent, Tierra Amarilla, Rio Arriba County, New Mexico.

DUBUQUE, IOWA, November 15, 1877.

SIR: Having just returned from an inspection of the Cimarron agency, New Mexico, I respectfully submit the following

REPORT.

The supervision of this agency has been assigned to Benjamin M. Thomas, agent of the Pueblos. His headquarters are at Santa Fé. I found John E. Pyle, an employe, in charge of the agency at Cimarron. Agent Thomas accompanied me on my visit to Cimarron.

The latest enrollment of the Indians of the Cimarron agency was made during the first quarter of the current year. The number reported is as follows:

Muache Utes.....	307
Jicarilla Apaches.....	442
Total.....	749

These are non-treaty Indians. No land has been set apart by the government for their use. In their present location, they are simply vagrants, trespassing upon lands, the title to which has passed from the government. They roam at will, subject to every possible demoralizing influence, and engage in no industry whatever. There is no school maintained among them. A regular weekly ration of seven pounds of flour and three and a half pounds of beef, per Indian, is issued at Cimarron, to such as claim it. Since the first day of January last the average number of Indians who have presented themselves weekly for rations at Cimarron is three hundred and sixty-one. It appears from these figures that only about half of the Indians avail themselves of the bounty of the government at Cimarron. The other half, consisting of the able-bodied ones, spend much of their time in roaming and hunting in the country bordering on Texas and the Indian Territory, where buffalo and other game abound.

Usually there is a fall issue of blankets, muslin, calico, frying-pans, and other useful articles, at Cimarron. My recent visit to the agency was at the time appointed by Agent Thomas for this annual distribution, of which notice had been given to the Indians, but not one Indian came to receive his share, and the goods consequently remain on hand. It is proper, however, to state that several cases of small-pox occurring about that time, among the few Indians living near the agency, the whole body of them stampeded to escape the dreaded disease.

The Utes of Cimarron agency properly belong with the Indians of that name at the Southern Ute agency in Colorado, and the Jicarilla Apaches belong with the Mescalero Apaches of the Fort Stanton reservation in New Mexico. I can see no good reason for

continuing to furnish rations at Cimarron to Indians who have no lands in that vicinity, and who fail to claim the supplies that the government provides for them at that point.

The same may be said of the Indians at the Abiquiu agency, where there are reported to be nine hundred of the Capote and Weeminuche bands of Utes, and three hundred and twenty-six Jicarilla Apaches. There is not a foot of land in that vicinity to which they have a shadow of right. They are trespassers on private property and exposed to every possible demoralizing influence.

The removal of these Indians seems to me to be an imperative necessity. It can be effected by simply giving notice that after a certain date no more rations will be issued or supplies furnished either at Cimarron or Abiquiu agencies, and that from and after that date the Jicarillas will be required to repair to the Mescalero Apache agency, and the Capote and Weeminuche bands of Utes to the Southern Ute agency for their supplies. The presence of a small military force may be required to insure prompt obedience to such an order and to guard against possible depredations on the settlers. General E. Hatch, the military commander of the district, is of the opinion that whenever authorized, he can effect the removal as above suggested without difficulty and at little or no cost to the government.

Very respectfully, your obedient servant,

WM. VANDEVER,  
*United States Indian Inspector.*

HON. COMMISSIONER OF INDIAN AFFAIRS,  
*Washington, D. C.*

ABIQUIU INDIAN AGENCY,  
TIERRA AMARILLA, N. MEX., *September 29, 1877.*

SIR: I am this moment in receipt of your letter of the 12th inst., marked C. In reply I have to state that I have *good reason* for believing that there has not been a Ute Indian, belonging to this agency, *at or near Cimarron for months.* With a few exceptions the Utes are near the western line of their reservation, about 140 miles west from here, while Cimarron is 160 miles east from here.

Very respectfully, your obedient servant,

S. A. RUSSELL,  
*United States Indian Agent.*

HON. COMMISSIONER OF INDIAN AFFAIRS,  
*Washington, D. C.*