

DEPREDACTIONS ON THE FRONTIERS OF TEXAS.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of State, and a copy of the report of the commissioners to inquire into depredations on the frontiers of Texas.

MAY 26, 1874.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the Senate and House of Representatives :

I transmit to the Senate and House of Representatives a communication from the Secretary of State, and a copy of the report of the commissioners to inquire into depredations on the frontiers of Texas, by which it is accompanied.

U. S. GRANT.

WASHINGTON, May 26, 1874.

DEPARTMENT OF STATE,
Washington, May 26, 1874.

The Secretary of State has the honor to lay before the President a copy of the report addressed to this Department by the commissioners appointed under a joint resolution of Congress to inquire into depredations on the frontiers of the State of Texas, approved May 7, 1872.

HAMILTON FISH.

To the PRESIDENT.

REPORT OF THE UNITED STATES COMMISSION TO TEXAS, APPOINTED
UNDER JOINT RESOLUTION OF CONGRESS APPROVED MAY 7, 1872.

WASHINGTON, D. C., June 30, 1873.

SIR: The United States commissioners to Texas, appointed under joint resolution of the Senate and House of Representatives of the United States in Congress assembled, approved by the President on May 7, 1872, have the honor to submit the following report :

The preliminary report of the commissioners was submitted to you on December 10, 1872.

The appropriation for the support of the commission having been exhausted on October 10, 1872, it was necessary to await in Washington the provision of funds by Congress for a further prosecution of the duties assigned by the act of May 7, 1872, creating the commission. On January 11, 1873, the commissioners received your orders for departure, the appropriation bill having been signed, and the vacancy caused by the resignation of Commissioner Fabius I. Mead, of Mississippi, being filled by the appointment of Thomas O. Osborn, of Illinois, as commissioner.

On January 25, 1873, the commissioners assembled at New Orleans, La., being joined there by Secretary John H. Howe, who presented his credentials and reported for duty.

After a tedious delay, due to storms and the irregular communication with the Rio Grande, the commissioners, having arrived at Brownsville, Tex., resumed their sessions at that point on February 6.

Mr. Anacleto Ximenez having received the appointment of translator, reported for duty.

The sessions held at Brownsville closed on February 25, and on February 26 the commissioners left that place, arriving, on April 19, at San Antonio, having, in the winter season, and notwithstanding the delays due to the epizootic, thoroughly examined the Rio Grande Valley from the mouth of the river to Fort Clark. The route of travel was as follows: Brownsville to Ringgold Barracks; thence to Corpus Christi, on Corpus Christi Bay, from which place the commissioners moved to Laredo. Eagle Pass was the next halting-place; Fort Clark the next; and, via Uvalde, San Antonio was reached.

By the movements referred to the scenes of the alleged outrages on the Rio Grande were personally visited from the river banks to the interior limit of the depredations, and from the shores of the gulf to the highest point on the river where any considerable amount of property is exposed to the marauding Indian or Mexican.

Exhaustive sessions were held by the commissioners at Brownsville, Ringgold Barracks, Corpus Christi, Santa Gertrudes, San Diego, Laredo, El Sauz, Eagle Pass, Brackettsville, Fort Clark, Uvalde, and finally at San Antonio, where a closing session, embracing part of April and all the month of May, completed the open investigations of the commissioners.

During the travel and personal visits of the commissioners every effort was made to inform the border people of the objects of the investigation, and by personal explanation and correspondence it was sought to give the sufferers a full opportunity to record their alleged grievances.

San Antonio was selected for the closing sessions, as it is admirably adapted by position for such a purpose. Situated in the center of Western Texas it is the emporium of the trade of the middle and upper Rio Grande, and the distances to all the important river-towns do not vary much. Many witnesses were enabled to reach the commission by this arrangement who could not have otherwise done so.

Expense and safety of travel are important considerations to a scattered population on a frontier, and the commissioners feel that they have made every effort to secure a full and fair representation of the alleged outrages by giving everyone interested an opportunity to present evidence. It is believed that the evidence and records in the possession of the commissioners do not leave unknown any of the causes which have brought about the present condition of peril to life and property in Western Texas.

The most thorough proofs have been obtained as to the cattle-stealing raids, with a full record of the deeds of such predatory bands of Mexican Indians as the Kickapoos, Lipans, Mescaleros, and others, together with valuable general testimony as to the operations of nomadic Indians upon the northern and northwestern frontiers of Texas.

The commissioners regret to report that on April 3, at Laredo, Tex., Judge John H. Howe, their efficient and worthy secretary, died of consumption.

SUMMARY.

The labors of the commissioners in their sessions of 1873 consisted in the taking of 736 depositions, which, with the depositions taken in 1872, are numbered continuously, and show a total of 1,090 depositions. These have been brought forward in support of 321 petitions filed in 1873, which, with the petitions filed in 1872, are 423 in number—covering a grand total for the various grievances alleged therein of \$48,496,235.25, divided and classified as follows:

SESSIONS OF 1873.

Class A	None.
Class B, petitions	\$19, 522, 693 43
Class C, petitions	392, 685 25
Class D, petitions	721, 492 60
Total	20, 636, 871 28

Summary, including sessions 1872 and 1873.

Class A, petitions	\$1, 906, 619 00
Class B	44, 572, 415 43
Class C	1, 295, 708 22
Class D	721, 492 60
Total	48, 496, 235 25

Note.

Class D refers exclusively to losses by the raids of Indians alleged to be the Kickapoos, Lipans, Mescaleros, and other Indians domesticated upon the soil of Mexico, having a refuge in that country, and using the Rio Grande as a base for their marauding operations.

CATTLE-STEALING RAIDS.

The alleged outrages upon the stock-raisers of Western and Northwestern Texas, by thefts of live stock, are embraced in 354 petitions, all classified under class B in the appendix. The total alleged loss is as follows:

Sessions of 1872, class B, petitions	\$25, 049, 722 00
Sessions of 1873, class B, petitions	19, 522, 693 43
Total	44, 572, 415 43

These outrages were fully described in the preliminary report of the commissioners, and no new features have been developed in the sessions

of 1873, save that the number of petitions filed and the voluminous evidence presented indicate a startling condition of affairs.

The commissioners feel it a positive duty to call for the publication of the evidence taken to support these petitions, which merits the most searching examination. Many acts of positive outrage are minutely described by responsible witnesses, and their general statements are confirmed by the results of personal examination of the localities exposed to such raids.

The commissioners represent that in many cases proof cannot be obtained, eye-witnesses are not always available; a confusion of interests, and the method of allowing the cattle to run at large on the prairies, still further complicates the examination of a particular case.

An increase in the number of raids occurred after the departure of the commissioners from the Rio Grande, and in bitterness and determination the cattle-thieves are to-day far more active than last year. Conflicts are continually occurring with these marauders, and it only remains for the commissioners to call the serious attention of the Government to these wanton attacks.

The people of Western Texas, numerically weak, and suffering from these outrages, cannot always present every feature of legal proof, as travel is unsafe when such marauders are on the roads. It is a difficult matter to report them promptly to the military authorities. These cannot always act so as to overtake expert and agile thieves, who carefully arrange their plans to avoid pursuit, and it is but seldom the settlers can personally pursue and recapture their property. The Mexican bank of the Rio Grande is the line of positive safety, and the thieves are usually ready and willing to make a halt there and regard their venture as a success.

When the scattered rancheros of the regions referred to shall have lost all self-control under this scourge, it is feared any action they may take will be vindictive and indiscreet.

The following extracts from the general evidence on the subject of cattle-stealing but faintly represent the accumulated wrongs described in the special evidence to support the various petitions.

EXTRACTS FROM THE GENERAL EVIDENCE TAKEN DURING SESSIONS
OF 1873, AS TO MEXICAN RAIDS, ETC.

Deposition No. 382. Benton B. Seat testifies that in the last eight years he has often seen cattle brought into Rio Grande City said to have been recaptured from Mexican cattle-thieves. Thinks there is not much stock owned on the Mexican side of the river. Has never known American citizens to go to Mexico to steal. Life and property are unsafe on the American side, murder and violence frequent, Mexican marauders the cause. Criminals, usually Mexicans, take refuge on that side. The grand juries have reported on the state of robberies. The communities on the Texan side are the weakest, and cannot raid on Mexico. American settlers on the Rio Grande are fair citizens.

Deposition No. 383. Samuel J. Stewart testifies that since 1846 he has held different offices—sheriff, chief justice, &c., in Starr County, Texas. Since 1859, Mexicans have raided on the American side, murdering and plundering. The American settlers are a fair class of citizens. Western Texas has lost heavily by Mexican cattle-thieves. In December, 1872, he saw a drove of cattle being crossed to Mexico. Saw brand of Richard King, John Robb, Mrs. Belden, &c.; one hundred and twenty-five head had been crossed. About the same time he fol-

lowed some cattle-thieves and found that the United States troops had recaptured some sixty or seventy head, the thieves escaping. Another time he saw thirty cattle on the Mexican bank just crossed. In 1866, as chief justice of Starr County, he received five or six hundred cattle recaptured from Mexican thieves; nine Mexican thieves were taken prisoners, but escaped. Life and property are unsafe, as these thieves raid over in parties of twenty-five or thirty, well armed, &c. As county judge, has made requisitions for Mexican murderers on the alcalde of Camargo; the murderers were allowed to escape. The Texans do not depredate on Mexico.

Deposition No. 384. Paschal L. Buquor testifies that life and property are insecure by reason of Mexican murderers and raiders. Cattle-stealing by Mexicans has been a tremendous drain on Western Texas. Cattle herded near the Rio Grande decrease rapidly. As justice, has received seven or eight lots of cattle recaptured from Mexican thieves and sold them for the owners. The American residents of the Rio Grande are fair citizens. The Texan river community is the weakest and cannot raid on Mexico.

Deposition No. 389. James J. Nix testifies that he knows of many murders on the frontier in the last seventeen years. Cattle-stealing by Mexicans largely practiced. Has not known Americans to raid on Mexico and steal. Since 1851 the laws of Texas allow Mexicans to reclaim any stolen property in Texas, and he thinks the law has been carried out. Americans on the Rio Grande are fair citizens. Violent crimes are usually committed by Mexicans. Criminals find safe refuge in Mexico. Juan N. Cortina notoriously overawes the frontier. Life and property are unsafe. Travel unsafe, because of Mexican marauding. Thinks the registered voters of Mexican blood generally take the Mexican view of any trouble.

Deposition No. 401. William L. Rodgers testifies that he has lived on the Rio Grande frontier since 1845. Is a survivor of the massacre of a party of eighteen persons, by Mexicans, near the Arroyo Colorado, in Texas. Has known of many cases of murder and robbery in Texas by armed Mexicans. Has followed these marauders often, once pursuing cattle-thieves, who crossed to Mexico, near Roma. In 1859 he detected Mexican thieves riding his horses in Camargo, Mexico; the thieves were punished. In 1866, while traveling with a companion from Rio Grande City to Corpus Christi, he attacked two Mexicans who were driving off one hundred and fifty cattle, disarmed them, and turned the cattle loose; was afraid of other thieves, and did not take the men as prisoners. It has been a continual practice for Mexicans to come over and steal cattle. Messrs. Hatch and Murdock murdered in 1872, near Corpus Christi, by unknown Mexicans. A band of these marauders attacked Capt. R. King about the same time. In early March, 1873, Michael Gaffray, of Rockport, was shot at by Mexican marauders. Life and property are unsafe; travel dangerous. He has found the records of many stolen American cattle at Mier and Camargo, Mexico. Has seen forged bills of sale used on the Mexican side of the river. Saw stolen Texan cattle at Mier, Mexico, in 1863. Texan cattle, when stolen, are sold for three or four dollars a head in Mexico, less than their actual value. Has never known Texans to recover their property. He made an unsuccessful effort to recover a stolen horse at Mier, in 1864. A. J. Cook was murdered by Mexicans, who remain unpunished, in San Patricio County, in 1867.

Deposition No. 428. John J. Dix has lived in Texas since 1834; is familiar with Western Texas; knows J. N. Cortina to be a desperate man;

believes him to have been the cause of much border trouble. His followers are cattle-thieves. In 1866 witness visited the Mexican towns on the lower Rio Grande. Various alcaldes admitted that cattle-stealing was extensively carried on. The cattle if captured were sold for an average of \$5, and the moneys received by the authorities. Has no knowledge of the owners recovering these funds. In April, 1866, witness lost three horses by theft, and the Mexican thief took the property to Mexico. Made unsuccessful effort to recover them. A Mexican official rode one of these horses for years, knowing it to be stolen. Witness saw, in July and August, 1866, some cattle recaptured from them at Rio Grande City. Thieves escaped to Mexico; cattle were sold for the owners. Knows of many cases of stock-stealing, the thieves escaping usually to Mexico. Witness saw stolen Texan horses in use by the troops of Trevino and Escobedo in Mexico, in 1866. Notified a staff officer, who refused to give any of them up.

Deposition No. 433. Perry Doddridge testifies that he has lived sixteen years in Western Texas; is mayor of Corpus Christi, and has had business connection for nineteen years with the Mexican frontier. He resided two years at Mier, in Mexico; while there saw a number of droves of cattle seized as stolen from Texas. Although there was only a small municipal tax levied on cattle-importation, the thieves avoided the legal customs place of entry, so as to avoid being asked for bills of sale and consequent detection of these thefts. When these herds of cattle are seized by customs officers they are sold, and the proceeds turned over to the Mexican civil authorities on the pretext of holding the moneys for the owners of the cattle. Witness has applied for these moneys and been refused; once in 1864; also on two other occasions. Immense herds of Texan cattle have been driven into Mexico by thieves coming from there. Three years ago these thefts were very grievous. Stolen cattle worth \$16 a head were sold at that time in Mier for \$2 apiece. The hides were really worth \$5 to \$7. Many of these bands of Mexican thieves were pursued to the Rio Grande. Three years ago Don Antonio Polacios raised a party of men at Concepcion ranche, in Duvall County, pursued a band of thieves, recaptured a drove of stolen cattle, and hung a thief named Hypolite Vela, a citizen of Mexico, living at Guerrero. Witness saw a list of the recaptured cattle; the owners recovered them, rewarding the captors for their services. In Mexico witness saw many stolen cattle of the brands of Richard King, John Robb, H. L. Scott, and his own. Witness knows a number of the claimants before this commission; can swear they are respectable men, who have lost heavily. Witness knows of no ranchero being indicted for stealing cattle. Two or three years past the cattle-raids were so grievous that two or three companies of State troops were on duty to break up the thieving. Las Cuevas, in Mexico, was a base of operation for the thieves. Captain Falcon with his company of State troops had several fights with the thieves, sometimes recapturing cattle. Witness during his residence in Mexico knew of no depredations in Mexico by American citizens. Life and property are unsafe in Western Texas. Witness closed out his cattle business on account of the stealing. Travel is unsafe. Prowling bands of Mexicans murder and rob lonely travelers. Many residents forced by their affairs to travel have lost their lives.

Deposition No. 443. John Henderson testifies that he is a sergeant of State police; has lived in Texas since 1833, and has been a resident of Western Texas since 1846. Cattle-stealing has been very prevalent since the war of the rebellion. Before the war, cattle had often been stolen and driven to Mexico by thieves coming from there. Since the war, the coun-

ties of Cameron, Hidalgo, Starr, and Zapata have greatly suffered. Parties of armed Mexican thieves, to the number of eighteen or twenty, make raids in this vicinity, crossing at several points between Brownsville and Rio Grande City, such as Las Cuevas and others. They sometimes reach Las Olmas, or Lomar Blanco, eighty or ninety miles from the Rio Grande. Herds of fifty to two hundred are seized, gathered, and pushed to the Rio Grande, being crossed at any point into Mexico. Passers by are taken prisoners or shot at, and the traveler's life is in danger. The stolen cattle driven into Mexico are sold at places such as Monterey, Saltillo, &c., for three or four dollars a head, although they are worth in Texas ten or fifteen. While on duty in July, 1871, I recaptured a herd of stolen cattle from two Mexican thieves near Rancho Las Honoras; the thieves secreted their arms in the bushes or sand. I conducted them some distance, obtained the assistance of some countrymen to guard the thieves while I went to water the cattle and to get assistance at Brownsville. On my return found the prisoners (who were Mexicans) had been allowed to escape, and the cattle were scattered. In May, 1871, I was on duty, with two other policemen, at La Jarro ranch, sixty-five miles from Brownsville, on the river bank. We asked for cavalry to assist us. While there several droves of cattle were stolen and driven into Mexico. The troops did not arrive. I had not force enough to capture any thieves. The thieves gathered the cattle near places such as the Candelario, Mogote don Juan, Blanco, Padrones, and Lama Blanca, and run them over the river when convenient. Witness heard stock-raisers often complain of the release of thieves they had formerly captured. These men refused to assist him; said thieves had returned and killed several people, and they would sooner lose their cattle than their lives.

Deposition No. 447. Samuel C. Skidmore testifies that he has lived in Western Texas since 1855. Was in Mexico in 1866 or 1867, and while returning from Monterey with six other Texans, was attacked and robbed by Mexicans near Mier. The party was robbed of four thousand in gold; the sufferers were disarmed and left on foot to find their way across the Rio Grande, penniless and ragged. This outrage was committed by Mexican soldiers commanded by an officer.

Deposition No. 454. George W. Pettigrew testifies that he has lived since 1845 in Western Texas, and has visited the Mexican river frontier for a number of years. In 1860 he went from San Antonio, Texas, to Saltillo, in Mexico. He saw a great many Texan cattle on the Mexican side, as far in the interior as Saltillo. From the prices asked and the parties holding them, he considered the cattle to have been stolen. Cattle were selling for two and a half to three dollars, worth double that price in Texas. Witness sold a herd of cattle he drove over for eleven dollars a head. Witness saw brands of Richard King, James F. Scott, Frank Byler, and John Robb on the cattle above referred to. Witness conversed with Mexican authorities, who admitted the cattle came from Texas, but did not know how they got over there. These cattle were openly sold for general use. Witness met a party of Mexicans coming from Monclova, evidently on a stealing trip. They had loose horses with them; afterward they were reported as thieves. Three droves of stolen cattle were driven into Mexico near Eagle Pass, in the winter of 1872, to the knowledge of witness. On one of these occasions some pursuers were bribed off by the thieves with two horses and two Spencer rifles. In 1869 or 1870, witness saw seven armed men driving a herd of cattle over to Mexico from the Nueces Valley; did not dare to meddle with the men. Witness has reported to different owners of cattle that he

has seen at various times their property in Mexico. Witness took a drove of cattle about two years ago across the Rio Grande for the Mexican market; was interrupted by a band of marauders, under one Caballo Blanco, near Monterey; brought to Mier, and the cattle, half starved, were returned, after seven days, and sold out at a loss. Witness has known Mexicans to steal a herd of horses in Mexico, run them into Texas, sell them, and buy a few cattle with the proceeds, stealing many more as they return to Mexico. Witness has visited the Kickapoo camp near Santa Rosa, Mexico, and saw much fine American stock with them. Life and property are unsafe in Western Texas.

Deposition No. 471. R. B. Willborn testifies that he has resided five years on the Rio Grande frontier. Has seen stolen cattle in Mexico belonging to T. Hines Clark, Frank Byler, John Robb, Richard King, and others. In 1871 witness saw a herd of stolen cattle near Capuda ranch, on the Mexican side; did not make special inquiry, as it is dangerous to do so. Has also seen droves of cattle in the sands west of the Nueces, from time to time, going to Mexico. On one occasion witness met nine armed Mexicans driving a herd of one hundred and fifty or two hundred cattle toward the Rio Grande. Also saw about two hundred cattle being crossed to Mexico, near the Blanco ranch, on one occasion; followed with some friends, but did not recover them. Witness has seen armed Mexicans hovering around frequently, and knows that cattle-stealing is continued. Has lost horses by theft. Life and property are unsafe in Western Texas; travelers are obliged to carry arms for defense.

Deposition No. 508. John McMahan testifies that he has lived in Western Texas since 1845. In December, 1863, witness left New Laredo, Mexico, for Matamoras, with some companions, and saw at Mier a drove of one hundred and ten or one hundred and twenty beeves, said to have been driven over from Texas by one Benito Barrero, a young Mexican. Witness examined the cattle; saw about twenty belonging to Mr. Romero; others bore the brands of T. H. Clark, Richard King, W. W. Wright, John Robb, Mrs. Menley, and other Texan owners; continuing the journey, witness saw at Reynosa two cattle belonging to Mrs. Menley, of Texas, in a pen; claimed them, but the man would not give them up; said they belonged to Regnio Ramon, of Camargo.

Two months later witness came up the Mexican side of the river, returning, and found at Camargo, in the yard of one Juan Petna, an ox of W. W. Wright's and one of J. A. Perkins, and claimed them of the holder; who said, "On the other side you own them; you don't on this side." In 1865 witness saw at Jimenez, in Mexico, two stolen horses belonging to Richard Miller, of San Diego, Texas. At Los Abritas, eighty miles from Matamoras, he saw twelve or fifteen horses stolen from Cornelius Stillman, of Brownsville; he notified the holder they were stolen, and on arrival at Brownsville told Mr. Stillman, who said he had lost them. Manuel Abritas had the horses when they were seen. Witness saw in the Mexican cavalry a horse belonging to W. W. Wright, one of John Robb's, and one of Wedin Merriman's; also in the yard of General J. N. Cortina he saw three horses belonging to Messrs. W. L. Rogers and T. R. Ryder, of Texas; claimed them, and General Cortina refused to give them up; said personally to witness that "the horses belonged to people he did not know, and he would not be mixed up in it." Witness saw General Cortina sell a beef belonging to Belden & Co., of Texas; also observed cows belonging to the Clark family, of Texas, with Mexican brands put on them to alter the original marks. Witness has seen herds of cattle at Brownsville said to have been recaptured from Mexican thieves. During the siege of Matamoras a Mexican

major, Theodora Tigles, rode a horse stolen from Richard King, and a lieutenant rode one belonging to W. A. Stewart.

Deposition No. 539. Beaufort P. Vivian testifies that he saw, in 1870, at Piedras Negras, a Mexican town opposite Eagle Pass, eighty to one hundred Texan cattle. Knowing a great many of the brands, witness applied to the alcalde of the town for the animals, as the alcalde acknowledged the animals were stolen from Texas. The alcalde stated that the cattle would be returned on payment of the charges, (nearly the whole value of the cattle.) In June, 1871, witness was informed by a friend, Alcalde Trompo Garcea, of Piotes, Mexico, (Vincente Gonzales being present,) that stolen cattle belonging to witness and his brother were at a place called Amole, (twenty miles distant;) also that Silas Gonzalez and others had stolen the stock from this side, and the informant offered to show the property. Witness, alone and afraid for his life, declined. About the twentieth of June the said Alcalde Garcia called at house of witness in Eagle Pass and said about fifteen hundred cattle, stolen from various rancheros in Texas, were at a ranch called Rancho de Nasario Luna, and near Santa Rosa. He offered to go with witness, but Luna, the owner of the ranch, being a desperate character and murderer, it was impossible to make the effort. In August, 1871, while returning from Monterey, Mexico, witness saw in a drove of cattle a number of Texan brands and asked the drover where he got the cattle. He answered that he had bought them from the aforesaid Nasario Luna; being asked for his bill of sale, he declared he had lost it; and when questioned as to a particular animal in the drove, said he received it as a present, (on buying a quantity.) The animal referred to belonged to Wright Lawhon, of Maverick County, Texas. The drover was notified that the cattle were stolen, and he said, "You can take the cattle if you choose." Witness being alone, and the drover having eight companions, he did not make the attempt. Life and property are unsafe on the Rio Grande frontier by reason of the repeated Mexican and Indian raids.

Deposition No. 571. John R. Burleson testifies that he has lived thirty-three years on the frontier; that after the Cortina war, of 1859, the Mexicans commenced to organize armed bands and cross the Rio Grande into Texas, robbing and murdering Americans. James Roberts and David Adams were killed by them. Three years ago these marauders tied a herdsman and took him to Mexico; he afterward returned. Witness cannot enumerate all the robberies committed by these marauders. In an area of fifteen thousand square miles, from the Nueces to the Rio Grande, and from San Antonio to the Devil's River, they have stolen nearly all the stock at different times and taken it to Mexico, selling it there, with the knowledge and sufferance of the local authorities. In 1866 witness went to Mexico and remained three years, crossing the Rio Grande at Presidio del Norte. At Presidio he saw a large amount of stolen cattle belonging to his Texan neighbors. In one instance witness applied for over one hundred and twenty beeves to the political chief and alcalde. The leader of the thieves, one Francisco Herrera, produced a bill of sale of the cattle, dated from San Antonio, and signed (Bill Mustang,) the date being of the day the beeves were crossed into Mexico. After a delay of about a month the alcalde took all the beeves for the costs, including also the branding-irons which the Texan owners had sent over to be used in evidence.

At Nava, in the state of Coahuila, witness saw twenty-two beeves in the hands of some Mexican thieves; made application to the alcalde, as they belonged to the Vivians, to witness, and other Texans, and received the promise of the alcalde to return them—finding, however,

next morning, that four animals had been butchered and the rest driven away. The alcalde was named Canter. He advised witness to stop trying to receive stolen cattle if he wished to live in Mexico. At Monclova witness saw a drove of stolen beeves; asked the alcalde to interfere. He said he could not, for when beeves were driven from Texas the owners asked \$20 a head, but the thieves sold them for \$4. At Patas, three hundred miles from the Rio Grande, witness found stolen cattle belonging to himself and neighbors. The holders said they bought them at from 75 cents to \$1.50 a head. Forty miles beyond, at Rancho de los Muchachos, witness found stolen American cattle. The holders said they bought them for \$2 a head and paid for them in horses. At Sedra, in Zacatecas, more than five hundred miles from the Rio Grande, witness saw stolen cattle which had been bought from Mexicans at \$2 a head. Witness found a great many Texas cattle at Alamo Parras, five hundred and seventy-five miles from the Rio Grande; also at Lagunas, at the mouth of the Nazas River. At Parras witness saw seventy or eighty American beeves belonging to Slaughter and English, of Texas, the Vivians, Leasal B. Harris, and others; a thief had them in charge; he said he had bought them. Coming back to the Rio Grande, witness saw cattle at nearly every inhabited place, the holders saying they had bought them at from 75 cents to \$2 a head. Eighteen months ago a drove of stolen Texas cattle was taken into Piedras Negras; they were counter-branded for sale by Mexicans, and the butchers had killed twenty-two of them. It was reported to witness, who went over and found sixteen American beeves in a pen. The custom-house commander put a guard over them. Next morning the animals were gone, but were found again, and the witness paid \$118 to finally receive the stolen cattle. About a year ago witness went to Presidio de Rio Grande, hearing that one hundred American cattle were there. On arrival, he found a part had been made away with. While there a Mexican pulled out a paper, and said it was an order from Alcalde Martin Torres to go to Texas and bring back cattle. Witness demanded the cattle from Alcalde Torres, who refused the request; finally, by order of another party, he recovered some. Hardly a week passes that Indians and Mexicans do not raid over and drive horses and cattle into Mexico. Witness visited the camps in Mexico of the Kickapoo and Lipan Indians, and found there many American horses, some belonging to Nat Lewis and other Texans living near San Antonio. A German boy and an American woman were captives in the camps of the Kickapoos. Witness tried to ransom the American woman and could not, as she is the wife of the chief's son. Witness recognized a pistol in the camp, which the Indians said they took from a man they had killed, and thereby recognized the man to have been Mr. Mangrum, killed in Texas by them, eighteen miles from Presidio.

Deposition No. 572. Levi English testifies that he has been raising stock since 1860, between the Nueces River and the Rio Grande. Since 1864, especially, armed Mexicans have been making incursions and driving off cattle to Mexico. Mexicans have driven off nearly all the cattle of witness, as well as those of William C. Dickens and Edward English, John R. Burleson, William V. Bell, Rafael Rellás. In 1862 witness followed a trail made by about two hundred cattle to the Rio Grande, and found they had been driven over into Mexico; saw two head of his own left on the Texan bank. In 1866 witness followed a herd of stolen cattle and found them at Guerrero, in Mexico; the authorities refused to give the cattle up. About seventy head were seen by witness, but there was two hundred in the herd in all. In 1869 witness followed the

trail of about five hundred stolen cattle across the Rio Grande to Guerrero and recovered thirty-eight head by paying \$3 apiece. In 1870 witness, with his employés, were attacked in Texas by a band of Indians, and Mexicans disguised as Indians, being robbed of thirteen horses and camp-equipage. Witness recognized the band to be Mexicans and Indians. With some friends, he followed the marauders, overtook them on the bank of the Rio Grande, attacked them, but the thieves, mounted on witness's horses, resisted and compelled a retreat. Before the retreat witness and his companion killed one of the marauders and retook a horse and saddle from him; his body was recognized as that of a well-known Mexican. In 1872 witness followed several trails of these marauders, and on one occasion was accompanied by thirty State police under Captain McNally. The trail followed on this occasion was that of about one thousand cattle; this trail was followed to the river, where the cattle had been crossed into Mexico. On July 4, 1865, witness with nine others fought a band of Kickapoo Indians and lost three men killed and four wounded, learning from information had from Mexico that the Kickapoos lost thirteen killed in the fight.

A band of Indians (Kickapoos) in 1871 raided into Texas, eighty in number, killing and wounding citizens, and stole three hundred horses. The stock captured was taken to Mexico, and some of it purchased from the Indians and brought back to Texas. Three other raids by Kickapoos have been made into Demmit County, Texas, the loss in stock being considerable.

Deposition No. 616. John P. Fries testifies that he has resided four years on the Rio Grande frontier; has been in the State police, assistant assessor of internal revenue, deputy United States marshal, and sheriff of Kinney County, Texas; has therefore been obliged to travel over the country between the Nueces and the Rio Grande. Witness can testify to the wholesale depredations of Mexicans and Indians, who raid over into Texas under the auspices of the Mexican government. Witness believes that most of the murders and robberies in the region referred to are the work of these marauders. Witness has scouted with the military and citizens, and has followed trails to the Rio Grande, showing in some cases that five hundred cattle had been crossed at one time. In frequent travel on the Mexican side witness has seen whole herds of stolen cattle on the prairies adjoining the Rio Grande, and also cattle so stolen penned up in the villages.

In May, 1872, at Nava, in Mexico, witness saw fifty Texas cattle penned up in the yard of Cesario de Luna, whom he knew and suspected to be a leading cattle-thief. Questioning de Luna, he replied that he had bought the cattle from certain men in Texas, giving their names. On the next day witness arrived at Eagle Pass, Texas, and found that a large herd of cattle had been stolen from the Pendencia and Carrizo Ranches, in Texas, and that de Luna had not bought a single animal from the parties he referred to. In January, 1873, witness saw a large herd of Texas cattle penned up at San Juan, in Mexico, but could not make special inquiry at the time. Witness has been often at Santa Rosa, near which town the Kickapoo Indians have their camp; and has often seen those Indians mounted on fine American horses of well-known brands. It is evident to any one who tries to receive stolen property from these Indians, that they are protected by the Mexican authorities and the citizens of Santa Rosa, as well as merchants there, who claim to be American citizens, and conduct an illicit trade with the Indians, encouraging them to raid into Texas. In January, 1872, (witness then being an officer in the Mexican army,) he observed two droves of beeves

brought over from Texas by foragers and fed out to the troops. Witness does not think General Falcon, who was there besieging Piedras Negras, knew that his foragers forded the Rio Grande and stole Texas stock, for when stock-raisers wrote to witness, and he informed the general, such foraging was stopped.

Deposition No. 770. William Henry Smith testifies that he has lived eight years on the frontier, and that on January 8, 1867, at Dogtown, in McMullen County, Mexicans from the Rio Grande took Malachi Gorsett and Thomas Green out of the house of William Franklin and killed them, leaving their bodies lying on the prairie; that about July 1, 1871, in Atascosa County, William S. Thornton was murdered in the same way. Since 1866 these bands of marauders have raided into the counties along the Rio Grande, murdering and robbing. In 1871, 1872, and 1873 the citizens of Atascosa County have been preyed upon to such an extent that the record of robberies would fill a volume.

Deposition No. 814. Claude Barrasas testifies that he has lived eight or nine years on the Rio Grande frontier and has an extended acquaintance of the different brands of the stock-raisers in Western Texas; that four years ago he recognized at Guerrero, in Mexico, cattle belonging to John H. Wood, William Ripley, O. Whaling, I. and R. Driscoll, James Tyson, T. J. Bayfield, Helen Carrigan, J. P. Wilson, George L. Turner, Allen C. Jones, Nancy M. Reed, L. D. Lafferty, John H. Choate, Thomas Conner, John Hynes, J. W. Stockley, F. J. Malone, John O'Brien, C. Seddick, and Ann Teal, all of Texas. The animals referred to (in number some hundreds) were in the possession of armed Mexicans, and he believes them to have been stolen from Texas.

DEPREDATIONS BY INDIANS.

The commissioners, in their preliminary report, made only a general reference to the subject of Indian raids, as the regions suffering from such incursions were not visited by them in 1872. In their sessions of 1873, however, much valuable information has been gained upon this subject.

The records of such outrages are embraced in forty-three petitions under Class D, amounting to an aggregate alleged loss of \$721,492. The depositions supporting these petitions contain complete descriptions of the outrages, while the fact that but little can be effected in obtaining a record of the killed, wounded, and kidnapped, proves the actual condition of the country to be one of continual exposure; a harassing predatory war being carried on by these offenders.

It is obvious that Indian raids on the frontier of Texas increased in number and boldness during the war of the rebellion, which called away large numbers of the fighting force of the frontier population, always in Texas an efficient aid to the military in controlling the red man.

On the immediate line of the Rio Grande, Indian raids are a source of harassing annoyance from the vicinity of San Diego, Duval County, to El Paso del Norte, the perpetrators being alleged to be Kickapoos, Lipans, Mescaleros, Apaches, Pottawatomies, Seminoles, and other tribes, or remnants of tribes, residing on the Mexican side of the Rio Grande, and using the territory of the adjacent republic as a base for a murderous warfare against the inhabitants of Western Texas.

Of all these tribes these Kickapoos and Lipans are specially distinguished for a bitter animosity to the inhabitants of Texas, and for unceasing activity in their bold raids. These incursions have two main objects, the stealing of horses and the kidnapping of children. Murder

is an invariable accompaniment, for these Indians have shown a disposition to fight bitterly with the settlers, and a gloomy record of their deeds is found in the many depositions taken upon this subject.

On the northern and northwestern frontier of the State the Kiowas and Comanches, bold and warlike Indians, conjointly with the Apaches, harass the outer circle of settlements, and in fact at times penetrate into the heart of Texas. Murder, kidnapping, and the stealing of horses form the objects of the warfare, and an interminable history of border war would be the result of an extended investigation. Texas, with its early history, one record of bloody struggles with the native tribes, or complications resulting from the embarrassing presence of Indians emigrating from reservations or crossing the State, with scattered herds of cattle and horses continually tempting the Indians of the adjoining territorial reservations, exhibits to-day every phase of the Indian question in some form of suffering, past or present. The State offers, in its vast desert plains and its unexplored hill regions of the northwest, abundant facilities for the concealment of the Indian marauders who meet and (as will be shown in the evidence) barter captives taken in the heart of Texas, between bands raiding from the northwest, (Comanches,) and from the line of the Rio Grande, (Kickapoos.) The extended frontier, open and only dotted here and there with military posts, gives the Indian a decided advantage, and the raiding band may retire in almost any direction and find some means of egress. The Indian Territory, the desert regions, or the friendly and convenient refuge of the Mexican side of the Rio Grande receives the marauders, who carefully avoid conflict unless strong enough to turn and check their pursuers. The frontier defense of Texas by its military, volunteers, and State police, is a subject upon which many disagreements have occurred and still exist. Such blows as the defeat inflicted last year upon the Comanches by the resolute General McKenzie, are not often dealt, and the commissioners observe here that a great deal of the border fighting is thrown upon the hands of a class of men who are endeavoring to plant settlements in the exposed regions, and whose houses have, from time to time, been pillaged by the common foe, their families murdered or carried into captivity. Several of these men, while appearing before the commission to record their losses by Indian raids, were called away by the news of fresh attacks upon their residences and property.

INDIAN DEPREDACTIONS ON THE RIO GRANDE.

The commissioners personally traversed much of the territory exposed to the raids of the Kickapoos, Lipans, and other Mexican Indians. Beginning in the vicinity of San Diego, and stretching in a semicircle as far as San Antonio, the settlements, such as San Diego, Laredo, Fort Ewell, Eagle Pass, Fort Clark, Uvalde, and their vicinities are continually harassed by the bold and desperate raids of these invaders. Settled at Santa Rosa, in the State of Coahuila, under the protection of the Mexican authorities, carrying on a trade with a circle of degraded merchants who are their accomplices, (these receiving at a nominal sum horses and cattle stolen from Texas for their goods and munitions,) the Kickapoos and Lipans are answerable for murders and thefts without number. They cross the Rio Grande at almost any point between San Diego and Fort Clark, whirl around through the settlements, kill shepherds, travelers, and others, attack ranches and drive away to Mexico herds of horses, leaving a trail of broken-down animals, dead bodies, and pillaged ranches behind them.

The commissioners have no doubt that there are spies and emissaries aiding the nefarious traders who inform, through them, the Indians of any suitable opportunity for a descent.

With regret the commissioners report that at the town of Laredo the feeling was so strong, in connection with the debasing circle of Mexican local influence, illicit trade, and hostility to Americans, that, although the drum had been beaten on one occasion to rally the inhabitants of that town generally to repel an attack of the Kickapoos, and the bodies of men murdered by them often been brought into the town, but few resident witnesses could be found who could state what tribes of Indians depredated upon them. As the town of New Laredo, Mexico, (opposite,) is often visited by Kickapoos, who trade there, this uncertainty has but one explanation—a strong sympathy with the corrupt local influences on the Mexican side.

In the extracts from the evidence following, the commissioners present some of the features of this Indian warfare, and such is the association of the Mexican and Indian raiders that the depositions taken will be found teeming with details of the bloody work carried on by these outlaws.

The horrible affair at Howard's well, in which a number of employes, teamsters, were burned by desperate marauders on April 20, 1872, is the basis of the complaint of Mrs. ——— Gonzales, Petition No. 322, which, with the accompanying evidence and papers, will show that over twenty Mexicans were engaged in the affair with the Indians.

The grave responsibility of the Mexican government cannot be overlooked when the continued protection given to marauders by its frontier authorities, the illicit trade with the Indians, carried on by its degraded merchants who are justly suspected of furthering outrages on Texas, and the fact of a friendly shelter being given to the retreating raiders laden with the spoils of a friendly territory are considered.

Mexican traders largely supply arms, liquor, and ammunition to the Comanches and other Indians in Northern and Northwestern Texas, crossing into Texas these goods in an illegal manner.

INDIAN DEPREDACTIONS ON THE NORTHERN AND NORTHWESTERN FRONTIER.

The Indians committing these depredations being under the control of agents, or given over to the watchful military, the commissioners feel that they can present no new phases of the problem in this regard, and refer to the many petitions, the voluminous evidence, and to the astonishing fact that Indians steal horses from the very outskirts of San Antonio, as indicative of the present condition of the country—a state of affairs which prevents any considerable immigration in many remote but fertile parts of Texas. The warlike Indians of the frontier referred to often cut a path through populous districts and escape with a rich booty.

The appendix contains a partial list of the killed, wounded, and kidnapped. The letter of Commercial Agent William Schuchardt, set forth in the evidence, details the fact that an Indian in Mexico holding a captive, by being absent on a raid into Texas, all negotiations for release of the prisoner must wait till the return of his captor; comment is needless.

The commission observe that the frequency of raids by cattle-thieves and Indians makes it an impossibility to collect a full list of killed and wounded. An astonishing number of lives are lost and the public mind does not retain long the details of any one raid, as some fresh disorder

occurs to efface the impression. It has been generally found impossible to obtain records of coroners or public statistics relating to the loss of life.

EXTRACTS FROM THE GENERAL EVIDENCE TAKEN DURING SESSIONS
OF 1873, AS TO INDIAN RAIDS.

Deposition No. 501. James O. Luby testifies that he is a merchant and has lived eleven years on the Rio Grande frontier. On August 10, 1870, witness saw eight Kickapoo Indians, mounted and armed, driving a herd of stolen horses toward Mexico, in Texas, about four miles from Fort Ewell. These Indians were drunk, having robbed a Texan ranch and obtained some liquor. They were not in war-paint, but all had shields with them. On September 26, 1870, witness saw a party of about twenty Indians driving a herd of stolen horses toward the Rio Grande; this on the main road from Fort Ewell to Laredo. On December 3, 1870, a party of forty-two Kickapoo Indians surrounded Nogalitas ranch, in Ensinal County, Texas. The Indians besieged the ranch for two hours. From there they went to the Charco Largo ranch of Colonel Benavides. Witness heard firing going on there; next day witness pursued these Indians, and found on the road between Charco Largo and Quirogas ranch dead horses and animals lying in the road. They had been killed with arrows. At Quirogas ranch witness saw a Mexican woman the Indians had killed; a man had been killed near the ranch and buried; saddle, moccasins, and arrows, all of Kickapoo style, were picked up. Witness lost his saddle-horse on this raid, and knows that horse to be now in Mexico. Witness has made unsuccessful efforts to get the said horse; two horses belonging to customs-inspectors were also stolen. All the raids referred to are the work of Indians coming from Mexico. Last year (1872) the Kickapoos made three raids near San Diego. Scouts were sent after them. The Indians usually come in the dark of the moon, stay three or four days, and go out with their plunder. Witness, as justice of the peace, has sometimes sent assistance to the Piedras Pintas ranch, to keep it from being burned by Mexican outlaws under the command of one Alberto Garcia. Witness is obliged to travel always armed. Horses are often stolen in the vicinity of San Diego and run off to Mexico. A herd of thirty stolen horses was captured a few days since, (March 20, 1873,) on their way to the Rio Grande; one of the horses belonged to Richard King, and his brand thereon was altered and defaced. All these marauding parties come from Mexico.

Deposition No. 502. Edward N. Gray testifies that he resides at San Diego, Duvall County, Texas, and has lived on the frontier since his childhood. Witness knows of Kickapoo Indians raiding in from Mexico, killing and robbing Texans and plundering. Witness has seen bodies of the killed as well as wounded persons; has examined trophies captured from them. For four years witness has observed the results of their robberies. The murdered persons have usually been shepherds, (as this is a grazing country.) One boy was murdered near the Becena ranch last year, near the house. The Indians usually kill with arrows or lances. The party who killed the boy were recognized as Kickapoos. Armed bands have been raised in Mexico to raid on Texas, plunder, and kill, and have driven off horses and cattle to Mexico; many of the persons were known to me. Witness has followed the trails to Rio Grande, and has met these marauders driving the stock on the roads; has recaptured stock from some of them. Has recognized stolen cattle from Texas offered for sale in Mexico, and has met the thieves there. Stolen cattle, worth from

sixteen to twenty dollars a head in Texas, are offered there for five dollars. Witness has seen in Mexico cattle of Belden, John Robb, Richard King, W. W. Wright, T. H. Clark, Hale & Barton, his own and other brands. Has reclaimed numbers of his own, or as agent, and has failed to recover the cattle or the proceeds of their sale. In one case the alcalde of Camargo held on to some money (the proceeds of the sale of stolen cattle) until the fiscal, or some other ranking officer, extorted it from him. The frontier authorities of Mexico have acknowledged, in some cases, to witness they could not stop the stealing and marauding. The stolen cattle were often taken for government use by officers of the Mexican army. Lieutenant-Colonel Juan Flores mounted some of his troops on horses and mules stolen from witness. Alcalde Trinidad Flores claimed the stock of a friend from Colonel Juan Flores, and was informed that the government needed them, and it was necessary it should have them.

Deposition No. 516. Adolph Leon Labbe testifies that he resides at San Diego, Duvall County, and has lived ten years on the frontier; that he owned a sheep-ranch at El Sanz, near Eagle Pass, in 1863. Shortly after the stocking of said ranch, the Kickapoo Indians commenced to raid in from Mexico stealing cattle, horses, and killing people. Witness was warned not to keep his family at the ranch. In 1866 the Kickapoos came, in the absence of witness, to the ranch and murdered Major H. P. Darling, (his partner,) Thomas Cosser, John Smith, and Allen, (a colored boy,) with a Mexican boy Pablo.

The Indians, divided into three parties, escaped from the troops who pursued them and returned to Mexico. Five thousand sheep had been scattered by this raid, and many were lost and perished. The ranch was broken up by this raid. Losses of witness were about three thousand dollars. Witness has lost many times horses by these raids of bands of Indians and Mexicans; has applied for his property, has sent papers to Presidio de Rio Grande, Nava, San Fernando, Morellos, San Juan de Agrandas, La Marroma, but has never recovered any of his stolen property. The thieves on the Mexican side protected each other. Property was passed from hand to hand to keep it out of the way. A Mexican customs officer, named Colonel Valdes, stole a horse from witness at Eagle Pass and took it to Mexico. Witness charged him with the theft, and was unable to recover his horse. The Indians depredate often around Eagle Pass, usually coming in from Santa Rosa, Mexico. Witness caught a party of Mexicans, from Presidio de Rio Grande, killing his sheep in 1868, and pursued them unsuccessfully.

Deposition No. 521. David M. Level testifies that he has lived on the frontier since 1846; resides at Laredo. In 1872 he was on the Rio Grande above Laredo, with Messrs. Callahan and Benavides. The Kickapoo Indians made a raid into Texas from Mexico crossing the Rio Grande twenty-five or thirty miles above Laredo, and attacked a camp of shepherds, who were employed by Señor Christobal, killing one man and wounding another. This band of Indians followed down the Rio Grande and stole a large number of horses, recrossing into Mexico. In November, 1872, a party of ten Indians raided in from Mexico, killing two men eighteen miles from Laredo, and captured two shepherds, (one of whom afterwards escaped.) These Indians were pursued by the citizens from Laredo, and retired in a northwest direction. The Kickapoos for several years have been raiding in from Mexico, stealing horses, attacking and robbing ranches, murdering settlers. Witness has heard of people bargaining for their property and recovering it from these Indians in Mexico. The Kickapoos often come down to New Laredo (opposite Laredo) to trade.

The Kickapoos have a camp in Mexico, opposite Eagle Pass. The Kickapoos have been seen to come down to the outskirts of New Laredo, camp and trade, and then raid over into Texas. It is generally understood these Indians are under the protection of the Mexican authorities. Witness knows of no acts to provoke these raids. Witness has never heard of the Mexican authorities interfering to prevent these raids, but instances have occurred where Mexicans have sent word to their friends in Texas that the Indians were coming in on raids, and to look out.

Deposition No. 525. Joseph A. Durand testifies that he has resided twenty-three years on the Rio Grande frontier and is familiar with its history. The most harassing depredations on the frontier are about Laredo and Eagle Pass, and have occurred since the Kickapoos crossed into Mexico to settle. The Kickapoos, Seminoles, Lipans, and Mescalero Indians all seemed to work together. The Comanches also come down upon these settlements, by the Mexican side of the Rio Grande. The Kickapoos are the worst of the lot. Witness has seen men yet warm from their murders. Was at their camp at Santa Rosa, Mexico, in 1860, and saw hundreds of them. They cross the Rio Grande at any point and rob and plunder; sometimes several parties come over and join in going out. Witness has known these Indians to raid into Texas as far as San Antonio. The younger Kickapoos speak Spanish and the tribe is mixing with the Mexicans, living at peace with them. Witness judges the Kickapoos to be increasing. They are active and intelligent warriors and often are aided by Mexican accomplices.

In 1862 the Kickapoos made different raids into Atascosa County, Texas; on one raid they killed two negroes at French's ranch, stole one hundred horses, shot a negro boy and left him for dead, kidnapping a boy; they then ran over the county, killing a man named Anderson at Pleasanton, drove up a great band of horses and went out over the Rio Grande; they took off about three hundred horses; witness saw dead and wounded horses on their trail. They came in two months later, killed a man named Thomas (whom witness helped to bury) and one Lorenzo (a Mexican,) also two men on San Miguel Creek, and went out with a band of stolen horses to Mexico. A month later they came in again and stole stock from witless, killed a herder named Mariano Iturte, stole forty or fifty horses from Colonel Nabairro, and went back. Witness has kept no record of dates and time since these raids. The Kickapoos have raided in since then at intervals of one to six months. Witness has seen sixty in one band. On one occasion thirty Indians were attacked by eight settlers, and they killed a son of witness and wounded every man of the attacking party. The Kickapoos have made way with a number of captives, women and children, and are supposed to have murdered some of these. The last raid was about two months since, (in February, 1873,) when they captured two boys, stole some horses and killed two men near Nicholas Sanchez's ranch. Life and property are insecure. It is worse than playing monte. The laxity of the Mexican government is the great cause of these raids; it allows them to go on unchecked. Witness has seen hundreds of stolen Texan cattle in the Kickapoo camp, at Santa Rosa. Useless efforts have been made to reclaim horses stolen and sold by the Kickapoos. The Mexican bank of the river is a sure refuge and barrier, and the Kickapoos contrive their raids accordingly, and gaining the farther bank, will fire on the pursuers. Cattle have been run over to Mexico by cattle-thieves to such an extent that beeves were sold at Monterey, Mexico, for one and two dollars.

Deposition No. 526. Hamilton C. Peterson has lived eight years on the

frontier, and testifies that on September 18, 1871, he was at McCombs's ranch, known as the "Salado," in Ensinal County, and while there forty Kickapoo Indians came in from Mexico and attacked a small ranch about three-fourths of a mile distant. Witness could hear the shooting. The Indians captured five horses and came up to McCombs's ranch, made some demonstrations; but as the ranche had been prepared for defense they went on. In the afternoon of the same day, two couriers came in with the news that these Indians had shot one of McCombs's shepherds full of arrows, killing him, and had surrounded a ranch eight miles below. In this raid the Indians stole about fifty horses in a circuit of twelve miles and kidnapped three children.

Deposition No. 527. Thomas J. Lee testifies that he lives at Laredo, and has been six years on the frontier; was a soldier in the Fourth United States Cavalry, stationed at Laredo and Fort Clark; has scouted along the Upper Rio Grande, and followed many Indian trails. About two years ago witness followed a trail of Indians within twenty miles of Laredo; found where they had killed horses and had crossed over to Mexico; on this trail the pursuers picked up abandoned and worn-out horses. Witness has often pursued cattle-thieves and Indians; the trails show these marauders to have come from Mexico. The Indians were usually reported to be Kickapoo Indians. In 1868, witness, with a detachment, followed the trail of some Indians who had crossed the Rio Grande, and, after four days' march, struck the Indians and were driven back, losing a guide killed. These Indians had crossed fifty miles above Eagle Pass, and the fight occurred on the Pecos, one hundred and fifty to two hundred miles within Texas. The settlers around Fort Clark suffer terribly from these depredations. Witness believes there is a class of people who co-operate with the marauders and inform them what to do. In 1872 a Mexican laborer, working for witness, stopped a cart of witness and stole a mule, riding it away, saying that he belonged to the band of "Caballo Blanco," a noted marauder, and was going to join him.

Deposition No. 529. Augustin Salinas testifies that he lives at Laredo, Tex., and is mayor of the city of Laredo; has lived all his life on this frontier. On December 24, 1871, witness was at Santa Isabel, 13 miles from here, engaged in branding cattle. At 9 o'clock, p. m., a band of Indians, thirty in number, dashed into the field and gathered up twenty or more horses belonging to witness and his neighbors. Next morning witness pursued the Indians, and found the body of José Maria Rendon murdered by these Indians. Witness declares life and property to be unsafe on the Rio Grande frontier. The cause of this state of affairs is the raids of Indians coming from Mexico. Witness has seen the bodies of a number of persons murdered by Indians brought to Laredo. The Indians come in three or four times a year, killing shepherds and plundering. Witness has never known American citizens to go to Mexico to steal; the citizens of this frontier are respectable and peaceable, and attack no other community.

Deposition No. 530. Margarito Sanchez testifies that he lives at Laredo and has lived all his life on the Rio Grande frontier. In 1852 witness lost two shepherds, killed by Comanches, about twenty miles from Laredo. In 1860 the Indians murdered one of witness's shepherds at Rancherías. In 1865 the Indians killed one of witness's shepherds at Los Olmos. In 1860 the Indians stole a lot of horses from witness. In 1870 the Indians stole fourteen horses from witness. On this occasion the rancheros at Agua Verde, in Coahuila, Mexico, recognized the stolen property, and returned most of the horses; they took them from the Indians who had made the raid from Mexico. In 1871 witness lost horses, stolen by Indians,

from his ranch Santa Isabel—eighteen stolen at this time, and killed J. M. Rendon. Witness knows of various depredations on his friends by Indians. In 1869 or 1870, Don Juan Ortiz lost five shepherds murdered by Indians. Christobal Lerma was murdered, in 1872, by Indians, near witness's ranch.

Deposition No. 531. Bartolo Garcia testifies that he lives at Laredo, Tex., and has spent his life on the frontier. In 1859 a large party of Indians raided on the settlements near here and stole (among other property) sixteen horses from witness. These Indians came from the north. Witness pursued them and had a fight with a small band of the raiders. One of witness's horses was seen on the Mexican side at Presidio de Rio Grande afterward. In 1859 witness lost sixteen or seventeen horses by an Indian raid. In November, 1872, witness lost a number of horses by an Indian raid at Loma Prita, also Christobal Leoma and Antonio Salinas. In 1870, General Quiroga lost his overseer, murdered by Indians, and had one hundred mules and horses stolen from his ranch "Charco de los Indios." In December, 1870, the Indians attacked a train on the San Antonio road, killed a woman named Guadalupe Resendo, and kidnapped Martina Diaz, (who is now in San Antonio.) After this, the Indians raided towards San Antonio and killed a boy named Jesus Aldama, and at Rancherias, returning, they killed a boy named Pedro Cruz. Troops were sent in pursuit of these raiders.

Deposition No. 532. Cecilio Uillareal testifies that he resides at El Paso, near Laredo, and has lived all his life on the frontier. In 1866 a band of Indians raided in as far as Zapata County, taking out over three hundred horses, and in crossing witness's ranch stole about eight horses from him and killed two men. These Indians were pursued and a fight occurred. Witness does not remember the tribe of Indians who made this raid.

Deposition No. 533. Carlos Salinas testifies that he has lived twenty years on the frontier. In 1862 the father-in-law of witness, going to a place called Highway, beyond the Nueces River, was murdered by Indians near Los Olmos, as well as his servant, Manuel Garcia, one mule being stolen. The Indians were unsuccessfully pursued.

Deposition No. 534. Juan Ortiz testifies that he lives at Laredo, Tex.; has been all his life on the frontier. In 1855 witness lost a number of cattle and horses by a Comanche raid. At this time his herder, F. Flores, was killed, four miles from Laredo. In 1859 a band of Indians robbed the Santa Barbara ranch of its horses. In 1867, on September 12th, a band of Indians attacked Los Yejones, twenty-nine miles from Laredo, and killed Amador Beza, Anastasio Garza, I. M. Ramurez, Lux Luma, M. Ramurez, and Clofas Ochoa, all these men being sheep-herders. These Indians scattered the sheep-herd of witness, causing great loss, viz, thirty-six hundred sheep, who perished on the prairies. The Indians stole a number of horses from Santa Barbara ranch a few days before the last raid.

Deposition No. 535. Carlos Gil testifies that he resides at Laredo, and has been a frontiersman all his life; knows the vicinity well. In December, 1860, a band of Indians attacked Los Ojeulos, forty-three miles from Laredo, robbing that ranch of a number of horses. In July, 1861, witness's father-in-law lost six animals (horses and mules) by an Indian raid in Live Oak County; the trail showed the plunder to have been taken to Mexico. In 1865 the Indians attacked El Paso ranch in Webb County, stealing seventeen horses, and witness states that all efforts to recover the property so stolen have been in vain.

Deposition No. 541. Francisco Secundino Nieto testifies that he resides

at Eagle Pass, Tex.; that on September 20, 1870, while *en route* to San Antonio with a train of corn, and having eight employés, the party was attacked by Comanche Indians at Alto de la Minita. The men ran away and abandoned witness and his son. The Indians robbed the train and kidnapped a boy, son of the witness. The Indians had five horses stolen from Minita ranch, which they attacked. The boy who was made captive was returned to witness on November 29, 1872, having been liberated by General McKenzie, U. S. A. Witness states that life and property are not safe on the Rio Grande frontier. Indians and Mexicans depredate continually on the settlers.

NOTE.—The boy referred to in the evidence above given is fourteen years of age, and stated before the commission that he was maltreated during his captivity; that the Comanches have many Mexican and American boys in captivity; also a number of Mexican women.

Deposition No. 543. Manuel Ban testifies that he is a citizen of the United States, now in command of a company of "minute-men" on the Rio Grande frontier. He lived at Santa Rosa in Mexico from 1842 to 1854; resides now in Maverick County, Texas. When Santiago Vidaurri was governor of Nueva Leon and Coaguila, a small band of Kickapoos lived at Moreles in Coaguila. Vicente Gurza, political chief of Coaguila, in obedience to the wishes of Vidaurri, sent an invitation to the Kickapoo tribe to come to Mexico. Land was offered to them, sixty miles above Piedras Negras, oxen, garden-seeds, tools, &c. The Kickapoos came over about five months after Vidaurri's proposals. Before their arrival Vidaurri had gone out of office and Gregorio Golindo, governor of Coahuila, received the Indians. Witness saw the commissioners hand their report to the governor. They reported the arrival of seven hundred and eighty Indians. These Indians were placed under the protection of the Juarez government. Witness considers them Mexican citizens. They served in the Mexican army and drew pay. Fifteen were in Captain A. Guerra's company. Shortly after the Kickapoos settled they began to cross the Rio Grande and depredate on Texas. Witness has followed their trails to the river. Stolen horses and cattle from Texas were found in the Kickapoo camp at Santa Rosa. Lipan Indians assisted in these raids. The Mexican authorities were notified of these raids by Texans. Four years ago the Kickapoos raided into Texas and stole over forty-one horses around Eagle Pass, Fort Clark, &c. Two of witness's employés saw the Indians cross the Rio Grande, from Mexico, twenty-one miles above Eagle Pass. These men followed the Indians and recaptured the horses near Santa Rosa when the Indians were asleep. The horses were so worn out, they needed rest, and the men drove them into Santa Rosa. Captain Guerra, Mexican army, arrested the men on suspicion of stealing the horses. When the Kickapoos got into Santa Rosa they claimed the horses, but finally Guerra released the employés and imprisoned some Kickapoos for a few days. The Kickapoos claimed the horses as having got them beyond the "big water," the Rio Grande, and they were represented before the Mexican authorities by one Jesus Golan who insisted that the Kickapoos were at war with the United States, and had a perfect right to steal from Texans. Witness forwarded papers and succeeded in recovering some horses (seventeen in all) belonging to Marion Puffit, Mr. Wiley, and John Baker, (all Texans.) The horses were abused and most of them died soon afterward. Witness believes none of these would have been recovered but for the friendly offices of his brother-in-law, Captain Guerra. Since 1865, armed Mexicans have been crossing the Rio Grande, and preying on the Texans. This fact has

been notoriously known for a long while. For some time these bands crossed the Rio Grande above Fort Duncan. After a time they were pursued by citizens, and the crossing above Duncan has been abandoned. Below Eagle Pass there are some Mexican settlements this side of Laredo. They are not strong enough to stop the marauders, but witness does not think they would if they could. Witness has trailed stolen herds within sight of these houses and settlements, and in no case have any of these settlers reported the depredations. There are large roads to the river used by these marauding parties, and they are used almost daily. On January 19, 1873, witness, with nineteen minute men, went down the Rio Grande below Eagle Pass, found the cattle-trails referred to; camped and posted men to watch the roads; on January 25, the men were placed under cover near the crossing; a mounted man was reported to me on this side of the river; five other men mounted soon joined him. Witness moved to cut this party off from the crossing; they started at a run and got to the crossing in advance; getting to the crossing, there were found about fifteen or twenty Mexicans in the river going over; as they were nearer the Mexican bank than the American, and had no property in their possession, witness did not fire on them. The Mexican party disappeared in the timber and crept around, hid their horses, and opened a brisk fire on us; witness replied with his party, and fired about two hundred shots, when the attacking party finally broke and fled. Witness lost no men, but learned that three of the Mexicans were killed, and six were wounded, of whom four afterward died. Sostenes de Luna was the captain of this gang; he was wounded. The Mexican party had just crossed, and were going into the cattle-range.

On February 18, 1873, witness was eighteen miles above Eagle Pass, and saw two mounted men crossing the river; with two of his command, witness moved to cut the men off from the river, and they ran when seen. On the bank of the river witness saw these men stripped and swimming back to Mexico; ordered them to halt. They did not, and they were fired on, wounding one of them. Some Mexicans in a field, at request of witness, stopped the fugitives. Witness went to Monclova Viejo, Mexico, and cited the men before the alcalde. The alcalde declared the men were honest, and liberated them. Witness sent an official communication to the alcalde, sending it by one of his men, and informed him the men were thieves and caught with stolen property. No reply was received. In 1866 a band of Indians passed near the ranch of witness (eighteen miles above Eagle Pass) with a large number of stolen horses they had picked up in Texas. Witness pursued with twenty-two men, overtook them, found them to be Lipan Indians from Mexico. After a brisk fight, in which witness had fourteen men and the Lipans twenty-one, the Indians were repulsed, and witness captured one hundred and eighty head of stolen cattle from them. Witness was wounded in the breast and nearly died. The Indian who wounded him was called "Voluntario." Witness wounded an Indian known as Enrique, and one called Juan Guerrero. Four days after the fight Juan Guerrero was in Monclova Viejo, in Mexico, with the wounded. All the Indians lived in Mexico. They know witness, and cursed him by name in the fight. General Reynolds was trying then to induce the Kickapoos to return, and the Mexican authorities were working to prevent them. Witness saw a private letter of his brother-in-law, Captain Guerra, to his mother, stating that he (Guerra) was going with a subsidy of several thousand dollars to the Kickapoos, sent by the government.

Deposition No. 545. John Kibbets testifies that he is a Seminole Indian and a sergeant of scouts in the United States service. Witness went from Florida to the Seminole reservation in the Indian Territory; was there nine years; after being there some time some trouble arose about the proposed sale of children to Cherokee Indians and to white traders. The Seminoles left to avoid the sale of these children, and crossed Texas, going to Mexico, at Piedras Negras, and going to San Fernando, Colonia, and finally settling at Nacimiento, twenty-five miles northwest of Santa Rosa, Mexico. Corn and vegetables were raised for a living. After the death of Wildcat, which took place in 1853, the Seminoles became dissatisfied, and left for the Seminole reservation. The Mexicans did not comply with their promises, and the Seminoles became disgusted. The colored people, under Billy Bowlegs and witness, remained in Mexico, and had finally to leave because the Mexicans stole horses and robbed them. Witness was in Mexico when the Kickapoos arrived; they had many horses; the Mexicans stole nearly all of them. The Kickapoos commenced stealing horses from Texas. They sold their stolen animals to the Mexicans. Witness has seen them sell a good American horse for two or three bottles of liquor. Witness has seen a few Kickapoos return from Texas with a great many horses. The Mexicans knew the horses had been stolen from Texas; some of the horses were shod. Witness never heard of any attempt on the part of the Mexicans to stop this thieving. The Kickapoos are still raiding on Texas. Witness has followed their trails. The Kickapoos have stolen thirty head of horses from witness and his people. Witness has one hundred Seminoles under him, and there are about two hundred men left in Mexico.

Deposition No. 554. Thomas A. Napkins testifies that he resides at Eagle Pass. In June, 1869, witness was medical officer of a scout from Fort Clark under the command of Captain John M. Bacon, Ninth Cavalry, and was in a fight with the Lipan Indians on the Pecos River. A Seminole named Juan Caballo was chief of that band of Indians, and was afterward seen at Piedras Negras, Mexico, and Eagle Pass, Texas. The Indians fought with, had with them mules stolen from a Government freight-train and belonging to Adams & Wickes. Animals stolen from Fort Clark, three years previous, were also re-captured. In September, 1871, two herds of horses, one in charge of I. M. Whipff and one under Manuel Ban, were stolen by Kickapoo Indians from Mexico. Witness lost three horses by the raid, and the Indians killed several persons from the neighborhood of Eagle Pass.

Deposition No. 559. Albert Turpe testifies that he has lived ten years on the Rio Grande, and has traveled extensively on the frontier, especially on the Mexican side. Witness has been at Santa Rosa, Mexico, and knows the manner of doing business there. Jesus Galan, Abran de la Gurza, and Ismal Galan are carrying on a trade with the Kickapoo and Pottawatomie Indians there, at the Mexican mission called the Nacimiento, (twenty-five miles northwest of Santa Rosa.) The said Jesus Galan gives credit to the Kickapoo Indians, giving them what goods they want, to be paid for with stock stolen from Texas at the rate of three dollars a head for horses and mules. Richard Turpe (brother of witness) lived some time at Santa Rosa, and has informed witness that John Taylor (a Kickapoo) with a squad of his men made periodical raids on Texas, and boasted of the number of Texan men, women, and children he had killed. Witness saw the said John Taylor to have the scalp of a woman in his possession, (the scalp being only two or three weeks taken.) A Mexican named Francisco * * *, living five miles below Santa Rosa, used to

raid into Texas with the Taylor gang, and came to grief, being killed in some way or other. An Indian was killed in Texas, near Castroville, in Medina County, and recognized to be a Kickapoo from Santa Rosa, Mexico. Witness, at the instance of Hon. George H. Noonan and Col. J. C. De Gress, United States Army, has several times in the last seven years tried to induce the Kickapoos and Pottawatomies to return to their American reservations, but has been prevented from doing so by the efforts of those citizens and civil authorities of Mexico who are doing such a good business with the Kickapoos. These parties represented to the Indians that witness was a spy, that he would lead in troops to destroy them, and that the Texans would kill them if they tried to march through Texas. It was made dangerous for witness, and he received friendly warning to leave. The Kickapoo chief declared that the world was made for all to live in; that the white man has no right to encroach on the hunting-grounds of the red man, and has no right to cut the land up into little squares. Witness believes the Pottawatomies to be more friendly than the Kickapoos, and to have abstained greatly from raiding in Texas. In 1868 or 1869, a herd of horses was stolen six miles above Castroville, in Medina County, Texas, and witness visited, in disguise, the neighborhood of the Kickapoo camps, but could find none of the animals missed, although the brands of nearly all the stock-raisers west of San Antonio, could be recognized in the stolen herds then there. In 1870 the Kickapoos had a fight with the Mescaleros and Lipans in Mexico, and caused these tribes to retreat to Monclova Viejo, eighteen miles above Piedras Negras. Some captives with the retreating party were seen by witness. They were mostly Mexicans, put in the lower edge of the camp. Witness saw a white girl, nine or ten years old, brown hair and blue-eyed, and addressed her in English and German. She seemed to understand, but showed fear of her captors. Witness tried to rescue her and get over the river, but was fired at, and, under a shower of arrows, ran to the Rio Grande and swam over. Witness offered two hundred dollars in specie for her, if any Mexican would restore her to the Texan side; but the Indians spirited her away soon after. In these camps witness saw two horses from Castroville, Medina County, Texas, belonging to the Lossberg family. The civil authorities of Santa Rosa refused to give up stolen property on the ground it was spoils of war, taken by the Kickapoos from hostile Lipans and Mescaleros. A Mexican boy was secured from the Mescaleros and Lipans early in 1873, and delivered to the post-commander at Fort Duncan. On April 9, 1873, witness was notified that a white boy, stolen from Cibolo Creek, in Texas, would be delivered on payment of two hundred and fifty dollars. The description was that of the son of H. M. Smith, of Boerne, on Cibolo Creek, Texas. Witness gave security, and notified Governor Davis, of Texas, and Mr. Smith.

NOTE.—The boy has been delivered to his parents. (See *Petition*, 242.)

A year and a half ago the Indians raided on the herds of horses belonging to the town of Eagle Pass, and stole eighty head of saddle-horses. The herders got to cover and escaped. Men have been killed by these Indians to such an extent that names and dates are quickly forgotten—it is almost a daily occurrence. Witness is at present clerk of the district court of Maverick County, Texas.

Deposition No. 641. Peter Tomlinson testifies that he lives at Pleasanton, Atascosa County, and has been fifty-two years on the frontier. In 1855 witness, with a party of about ten men, pursued a band of Indians in McMillen County. On the 31st of August a dead man was found who had

been frightfully mutilated ; he was an American, named Napkins ; the Indians had killed him. Next day witness came up with five Lipan Indians and killed them all, capturing twenty-eight horses and saddles. These Indians lived in Mexico, and were reported to have raided frequently into Texas. The horses recaptured belonged to people near Goliad, Texas, and were returned to the owners. On September 2, 1855, several Mexican neighbors of witness killed two out of three Lipan Indians, who were on a plundering trip in the vicinity. In February, 1861, witness was on the Frio River, and had left his camp in charge of three young men ; the Indians, fifteen strong, attacked the camp and captured all our baggage and eighteen horses. In 1861, the Indians, on a raid, killed Sanders L. Eastwood and John Spears, stealing eighty head of horses from Mr. Berry, of Texas, and a great number from other people. These Indians were Lipans and Comanches, from Mexico. In 1863, the Kickapoos, from Mexico, raided into the Frio Valley and killed Dean Oden, D. Williamson, and John A. English, stealing a vast herd of horses from the neighboring ranches. Some of these horses were seen in Mexico, near Santa Rosa, by a son of Mr. J. Tomlinson, and arms recognized, belonging to people who had been killed. In 1872, while traveling, witness met a young man, named Frank, who had just escaped from a band of Kickapoos, then on a raid, they having killed his companion, Camp, stealing five horses. One of the horses was abandoned on the return to the Rio Grande, and found, completely broken down. Witness has continually heard of these Indian raids, and the Mexican cattle-raids, and cannot remember dates and times. In 1866, in Atascosa County, near the Laredo road, witness met a woman named Napkins who had been robbed of all her property by a band of Lipans and Mexicans. She had been maltreated, no clothes or bedding left to her, and the raiders attempted the life of a Mexican woman who who was with her.

Deposition No. 642. Felipe Ramos testifies that she is the wife of Francisco Camacho, a registered voter of the State of Texas ; that he was, on January 24, 1873, herding cattle for one Rodriguez at a place called Los Balcones, thirty miles north of San Antonio, and the Indians killed him, also Juan Rodriguez, and the mother and father-in-law of Rodriguez. It was ascertained the Indians were nine in number. They were Comanches, and had killed eighteen persons in the neighborhood. Since the death of her husband witness has been in extreme misery.

Deposition No. 682. Juan Esteban Herrera is thirteen years old. Was captured with M. Diarria, a playmate, and carried by Comanches to their haunts in the Sierra Nevada Mountains. Were taken in Mexico and carried across the Rio Grande.

Deposition No. 683. Manuel Diarria was captured as above by Comanches, and carried away with Juan E. Herrera.

Deposition No. 684. Manuel Vela testifies that he is sixteen years old, and was working for Mr. C. Garza, of San Diego, Tex., a year ago, when he was captured by ten Comanche Indians, who attacked several people at Redarnadero del Sancajo, killing an old man named Tio Celso, Guerrero Celso, (his son,) and Don Tibursio, (brother-in-law of witness's employer.) Witness was to be killed, but an old chief named "Pachiconey" ordered a man to carry witness behind him on his horse. On the way north an Indian boasted to witness they had killed seven "Pavostaibos" (white men) on the Nueces on that road, and pointed to fine American horses they had captured from the men they had killed. After many days' travel the Indians reached their stronghold in the Sierra Nevada Mountains with all their plunder.

Deposition No. 685. Presciliano Gonzalez states that he was captured in Mexico by Apaches, who killed his father and mother and carried him away. They crossed a very large river and came to a place in the mountains where he was traded off to a Comanche, (as some Comanches were on a visit to the Apaches.) The next day some Mexican cavalry attacked the Indians, and a sharp fight occurred. The Indian who killed witness's father was killed, and they were going to kill him in revenge; but a little squaw of the chief's family interfered, and he was spared. Witness is now an orphan, and has no one to claim him, as all his relatives are very poor.

Deposition No. 686. Vidal Enrique Fernandez testifies that he is sixteen years old and son of N. Fernandez, of Eagle Pass, Texas. About two years ago witness was captured by Comanches near Eagle Pass. Witness was herding, and was surprised, put on a horse behind an Indian, and carried away to the Sierra Nevada Mountains. Many Mexican boys are held in captivity by these Indians.

NOTE.—All these boys state that they were abused by the Indians, having little food and no clothing, left exposed to sun and cold, and worked to exhaustion in herding and cleaning horses. At times the captive boys were horsewhipped till the blood ran. They were finally ransomed by the United States Government at Fort Sill, by exchange of a squaw for each boy. They are all now living with I. M. Salas, a Mexican at San Antonio, Texas, he having taken them with the consent of the department commander to keep until they may be called for by their relatives.

Deposition No. 769. Martina Diaz testifies that she resides at San Antonio, Texas; that on December 2, 1871, she was traveling from Laredo to San Antonio, Texas, with her husband, Domingo Rodriguez. There was a train *en route* for San Antonio. Near Quirogas ranch, about fifty miles from Laredo, a band of thirty Comanche Indians attacked the train, delivering a heavy fire, and killing a woman named Guadalupe Rodriguez, and destroying and plundering the outfit. Witness and a boy, Ceferino Trevino, were captured, and, after three months' wandering in a rugged and desolate country, arrived at the wigwams in the Sierra Nevada Mountains.

About a year ago a party of two hundred Mescaleros visited the Comanche camp. Witness found out the Mescaleros were dissatisfied with the United States. The Americans were too strict, and had tried to break up the sale of captives by the Mescaleros to the Comanches. Witness declares the Mescaleros have many women and children captive. Witness described many of the doings of the Mexican Apaches and Mescaleros from captives, but it is dangerous to do so, for the Indians kill any one who seek this information. The captives were only allowed to use the Comanche language, and to talk only on current matters of the camp. A few days after the capture of witness, the Comanches had a fight with some United States cavalry, and came back apparently victorious, for they had arms and provisions, together with a white man's scalp and a pair of saddle-bags. Witness's life was threatened on this occasion. She was treated as a general servant in the camp, and was outraged by her captor. His name was Youngcoust. He was a chief, and died about a year ago, when witness became a slave to his sister.

On December 4, 1872, the Comanches had approached Fort Sill to exchange some white boys captured from Texas, and to enter into some negotiations with the agent there. The business had been ended on the night of the third, and witness was nearly crazy, for she could see

the houses of the place. That night witness heard the squaws talking over the events of the day, and heard the following argument:

Didn't these damned fools, Americans, give us fine things for the few Texas rats we delivered to them? But never mind; our brothers are now getting some more Texan boys and horses, with which we will get our warriors and women back again from them, and then we will rise and leave their reservation, and will show these foolish pavostaibos (white men) how much the Comanche can be coaxed to live in peace with them and eat bacon and salt stuff on their reservations.

The squaws went to bed and it was a cold and rainy night. Witness's anguish was such that she determined to try and escape. She had abused the Americans for some time to avoid suspicion of any idea of escape. About midnight witness got under the side of the tent, slipped out, and rounding the Indian camp by about one hundred yards, finally reached the agent's house at the post. Witness was afraid of being killed by the sentinel, and scrambled around in the cold, her feet lacerated and bleeding. Witness got into a large room where soldiers were lying sleeping; she heard the soldiers snore, and could see the guns lying around. Finally she went and knocked at the door of the agent's house, but received no reply. She had called out "open the door," in English, (which she remembered,) and slept finally the rest of the night in an alley-way, but was found in the morning and very kindly treated by the ladies of the post, afterward being sent to General Augur's headquarters at San Antonio, Tex., where she found friends and relatives.

Deposition No. 800. Julius N. McKinney testifies that in February, 1860, a band of Indians killed Henry Robinson and Henry Adams, in Texas, scalping at the time a daughter of Mr. McKelsey, leaving her for dead. She recovered. This band raided along the Nueces River and killed a number of Mexicans there. At Leona River they killed Julius Saunders, Leonard Eastman, John Davenport, and John Bowers. On July 4, 1865 or 1866, a band of Indians raided in on the Leona River and were followed by eleven citizens. In a fight the Indians killed three and wounded six of the eleven assailants. They afterward attacked James Martin's house, and one Indian was killed.

Deposition No. 884. Clinton L. Smith testifies that he is thirteen years of age, and lives near Boerne, Kendall County, Texas; is a son of Henry M. Smith, of Dripping Spring, Tex., and was herding stock for his father about two years ago, when a band of twelve Apache Indians, accompanied by two Mexicans, came upon him. They seized him, one placed a six-shooter to his head, and the others put witness on a horse, taking him away, (notwithstanding witness's father heard his screams and ran, gun in hand, toward the spot.) The captors traveled over immense plains to the northwest, killing on the way an American and wounding another. The party finally crossed the Brazos River, and, coming to a Comanche camp, sold witness to a Comanche chief named "Mah-way" for four horses, some beads, powder, and lead.

The Apache Indians who captured witness had a great many horses, stolen in Texas, and the two Mexicans of the party (speaking good English) told witness they were going to Mexico, and asked if many horses could be got on the Cebolo Creek, Texas, (near San Antonio.) The Comanches were continually on the march; they wanted to cross the "Staked Plains" to get away from some United States troops, but could not do so on account of the severe drought of a year and a half ago. They then kept a little to the southwest of the Staked Plains, and hunted many buffaloes. All the captives were worked packing meat and washing the robes, sometimes working thus two whole days; also

cleaning and herding horses. Witness's younger brother, Jefferson Smith, had been captured with him, but the Comanches would not buy him, and he was carried away into Mexico by the Apaches. The Comanches are very rough with their captive boys and whip them terribly, sometimes killing them if they cry over the beating. Witness was finally exchanged, through the agency of the United States Government, at Fort Sill, for an Indian squaw, and sent home through San Antonio. Witness did not see his brother till in May, 1873, (about two weeks ago,) when he was sent home, through the efforts of William Schuchardt, United States commercial agent at Piedras Negras, who bought him from the Lipan Indians, in Mexico, for two hundred and fifty dollars. The Comanches are usually supplied with liquor and ammunition from Mexico by the Lipan, Mescalero, Kickapoo, and Apache Indians.

NOTE.—Jefferson Smith, referred to above, was brought before the commission, but being too young to understand an oath, and his mind somewhat clouded by ill-treatment, he was not examined. His body bears marks of severe beating. Both the boys were placed by the Indians on a wild buffalo and turned loose, one of them being thrown off with violence, and the other tumbling off.

Reference.

(Copy.)

UNITED STATES COMMERCIAL AGENCY
AT PIEDRAS NEGRAS, MEXICO, May 8, 1873.

EDITOR EXPRESS: I have received information that another youth is held as a captive by the Mescaleros, who was captured five years ago by them between Los Olmos (near San Antonio) and Bandera.

The man I had sent to the Indian camp, authorized to rescue the said boy, returned, stating that the Indian in whose possession the boy is is now absent on a raid in Texas, and that the transaction must be postponed until the boy's captor returns from Texas. The boy is about nine years old, has blue eyes, light hair, broad face, and is stout built. He was asleep in the yard of the farm when he was captured. I expect to receive soon further information concerning this boy, which I will communicate to you; and by publishing it in your valuable paper the parents of the boy may be found.

Very respectfully,

WM. SCHUCHARDT,
United States Commercial Agent.

THE CHARACTER OF THE CLAIMS AND OF THE EVIDENCE SUPPORTING THEM.

Reference to the preliminary report of the commissioners, dated December 10, 1872, shows 102 petitions to have been received, alleging an aggregate loss of \$27,859,363.97. These petitions were supported by the sworn evidence of 354 witnesses, a number of whom testified with regard to the general condition of affairs upon the border, and the remainder in support of particular petitions.

An examination of the detailed items set forth in the above-named petitions, as found in the appendix of the report of 1872, gives a total of alleged actual or original losses of \$6,000,000 or \$6,200,000, the remainder of the sum of \$27,859,363.97 being stated as contingent dam-

ages, losses due to breaking up of business, vindictive damages, and interest.

The powers of the commissioners under the act of May 7, 1872, did not extend to the issuing of summons for persons and orders for the production of papers. The investigation, although touching indirectly the state of police of the two frontiers and the performance of national and treaty obligations by the adjacent republics, was necessarily a domestic one, *ex parte* in character, and in the absence of parties charged with rebutting statements under oath, all carefully recorded testimony was received.

The petitions (merely written condensations of the subject-matter intended to be proved in evidence) were received as being the means of originating the different cases and of assisting the commissioners in a personal cross-examination of the witnesses.

It was distinctly understood that the commissioners were without power to award the sums referred to, or to promise an award, and that their duties, beyond the careful recording of evidence and the opinions on the general situation formed by them and embraced in the preliminary report, were confined to recording the amounts of the alleged damages, whether closely proven or merely estimated.

The original papers, forwarded on December 10, 1872, and now on file at the Department of State, show the careful handling of all witnesses by the commissioners, and the documents accompanying the report furnish an interesting commentary upon these disorders which have depleted the resources of Western Texas.

The petitions, as has been stated, are merely statements, being without legal formality, not authenticated by oath, and the utmost freedom being allowed to bring all meritorious sufferers before the commission, and to avoid as far as possible any expense to the claimants. They have been signed either by the claimant or the agent or the attorney in the case. In every possible manner principal parties have always been sought, although the lack of power to issue or enforce any order or mandate has rendered impossible some features of the intended investigation.

It is obvious that, upon a distant frontier, many regions of which are overrun by Indians or Mexican marauders, it was impossible to bring every person interested directly before the commissioners without great delay, and in some cases a heavy expense to persons who were only desirous of testifying for others.

Further, the roving habits of the herders and other employes of the claimants have caused the absence of important witnesses, and it has been the duty of the commissioners to give every opportunity for the record of evidence and the production of papers without formality, the only method in such a work of preventing confusion, and of enabling the claimants to prove wholly or in part the allegations of their memorials.

In all cases the original records will show by inspection the character of the evidence, if taken before any other recording-agent than the commission, a seal or sign-manual being a second counter-signature of the record.

The commissioners desire to observe that in committing the depredations under examination, the perpetrators sought secrecy. In many cases eye-witnesses were not present, and some of the petitions are supported by the secondary evidence of persons who may have seen or pursued the raiders, although not personal witnesses at the actual moment of depredation.

It has been the design of the commissioners to gather any and all information to be obtained, and the classifying and valuation of the evidence is a responsible duty of the future.

The disparity between the actual losses of \$6,000,000 or \$6,200,000, and the total of \$27,859,363.97, is explained by the undoubted right of the petitioners to state in their memorials any calculation based upon the increase of herds or the contingent losses and damages in their respective cases, as estimated by themselves.

Whether such statements shall be finally considered valid or no is a question for the decision of the adjusting authorities into whose hands the records may pass. These alleged contingent damages have been used for the purpose of clearly stating these cases, not only in their property relations at the time of depredation, but as afterward affecting the different sufferers.

The commissioners have not, nor do they wish to be considered as having, recommended the payment or allowance of any such sum as the \$19,000,000 of interest, allowance for increase, damages, &c. Their plain duty has been to forward the original records, and a fair adjustment can be made in each case, assisted by the general information contained in the calculations referred to.

The petitions filed in 1872 are supported by varying numbers of depositions of different degrees of value as evidence; some are almost without proof and others are clearly proven. In some cases of a meritorious character, death or absence has removed the most valuable testimony, and nothing but a careful and detailed examination of each case would justify an opinion as to its merits. It is, however, undoubted that a large and grievous loss has been inflicted upon the rancheros of Western Texas, covered by the petitions and evidence referred to, and before the dismissal of any case the commissioners would recommend examination by a competent authority, and that the defects be notified to the different claimants before rejecting any of the cases.

Only such a careful and measured examination, of the most rigid character in its official scrutiny, can do justice alike to the Government and its memorialists.

The commissioners, in their sessions, have been careful in enjoining all parties to make the proofs of their cases as direct as possible, and have consistently declared that no act of theirs must be construed so as to involve, in any money-responsibility whatever, the General Government of the United States.

LABORS OF 1873.

The records of the official labors of the commissioners for 1873 show the receipt of petitions numbered from 103 to 423, inclusive, as shown on the official index-book accompanying this report. The series of 1872 closed with petition No. 102, and the total number of petitions indexed and recorded is hence 423. These petitions of 1873 (Nos. 103 to 423) allege an aggregate loss (original, contingent damage, increase, and interest) of \$20,636,871.28. They are supported by the depositions taken in 1873 and numbered from 355 to 1,190, inclusive. The details as to petitions and evidence will be found fully set forth in the index-book.

The remarks with regard to the petitions of 1872, in the preceding article, apply to those of 1873, and as, from the complex nature of many of the allegations, an exact separation of the original losses and the various contingent items cannot be made, the commissioners desire to state, definitely, that the same general relation obtains, and that the ag-

gregate of \$20,636,871.28 would in proportion represent an alleged original loss, of say \$4,600,000.

This relation would, for the total alleged loss of \$48,496,235.25, covered by the entire series of petitions, (423 in number,) give a total loss in original items of, say \$11,000,000, and without a long and most searching examination it would be impossible to record officially an exact separation of the items. It is believed, however, by the commissioners, that such an adjustment would reduce the claims to a total, for original items, of between eleven and fifteen millions, the remainder being less definitely alleged on the various counts of secondary loss.

In the absence of power to rebut or to allow of such action, and without the time to report individually on the different cases, the commissioners can only forward the original records and papers of the 423 cases referred to, carefully indexed, and state that the evidence has been made as direct, as valuable, and as well-authenticated as possible.

The various parties interested have in different manners acknowledged in some cases the want of the best proof; in others, more time is needed for the development of proof to be obtained; in others, a certain amount of loss of property is proven and a large remainder alleged, and the commissioners feel that the original records and proceedings will not warrant a sweeping statement of approval or rejection, and that more time should be allotted to the petitioners to prepare whatever additional evidence they may be able to offer.

It has been impossible to communicate promptly with all the parties desirous of appearing before the commission, and for the various reasons incident to a frontier investigation, petitions 424 to 473, inclusive, are herewith transmitted without action or indexing, accompanied by depositions 1,091 to 1,180, inclusive, which papers, although received directly by the commissioners in Texas, were too late to receive an examination warranting indexing them or forwarding them with the 423 cases referred to above.

A large number of supplementary papers, petitions, and depositions are also herewith transmitted, as having been forwarded by mail to the commissioners in the hope of having them acted upon. They are submitted to the Department without further comment than that they undoubtedly contain much evidence bearing upon cases already received and indexed.

The fact of such papers being forwarded and in such a condition needs only the explanation that the limited time at the disposal of the commissioners prevents them in any way from examining these documents.

INDEX-BOOK.

The index-book, herewith forwarded, contains a complete list of the petitions, depositions, and documents of the sessions of 1873, as limited by the remarks of the preceding article.

A list of the petitions and the depositions supporting them (by number) is therein contained, to facilitate reference, as well as a list (by number) of the depositions of a general nature, and of those depositions taken in 1873, to support petitions filed in 1872.

Lists of persons killed, wounded, and kidnapped are contained therein, as drawn from the general evidence only, the special evidence incidentally referring to many items of such information, but it was impossible to abstract the special evidence in this regard.

Any statistics gathered on such subjects must be vague and incomplete, as the record of murder, wounding, and kidnapping by the various marauders is an interminable one.

RECAPITULATION.

A recapitulation is also forwarded in said index-book, showing the totals of the different petitions received. In this will be found (in addition to the classification of 1872) a class "D," to include the alleged losses directly charged against Indian tribes, both those of the Mexican border and the roving tribes of the Northwest.

The commissioners have endeavored to make their return of information as complete as circumstances would allow, and can only regret that in some respects it may be found incomplete from causes beyond their control.

REMARKS.

The commissioners, in closing their report, desire to state that the general situation of the border, as described in their preliminary report of December 10, 1872, remains unchanged.

With the exception of the beneficial measures adopted by the United States Government in reinforcing its troops on the line of the Rio Grande, the energetic orders of the department commander, and the smart blow inflicted upon the Kickapoos by the gallant General McKenzie, the interests of Western Texas are in the same jeopardy as before.

The views and conclusions of the preliminary report are only strengthened by time and the further experience of the commissioners.

The serious state of affairs heretofore reported can only be concluded by the removal of the marauding Kickapoos to their proper reservation, the performance of plain duty by the Mexican river authorities, and an equitable adjustment of these claims.

Such an adjustment will demand the most careful and serious attention to prevent hasty judgment, or the exaggeration of interested parties.

The raids of Mexican marauders cannot be entirely stopped by the United States forces, (however watchful,) and it is presumed that the operations of the Texan regiment of volunteers, recently authorized by the legislature of Texas, will not bring about the desired result, which can only be brought about by a resolute determination on the part of the national government of the republic of Mexico to put down, in a most summary manner, these irregular bands of banditti, who for many years past have impoverished Western Texas, and wantonly shed the blood of her citizens.

The statements of the commissioners on all subjects connected with the investigation are drawn directly from the recorded evidence and from the personal examinations which, under a sense of duty, they have carefully made from time to time.

Feeling deeply the present responsibility of the case and the need of a careful and immediate consideration of the subject in all its bearings, the commissioners hope that the border troubles will be speedily settled as justice demands, and they faithfully transmit the records of the individual claims, supported by all the evidence brought forward by the memorialists, a class of citizens whose personal sufferings have been grievous and who have described under oath their losses and the disorders which have so long delayed the further settlement of Western

Texas, a region in other respects inviting an immediate and valuable immigration.

It is for the Government of the United States to open this region to improvement by giving to those who live under the shadow of its flag on the distant Rio Grande that effectual protection which they deserve, whatever be the cause militating against local peace and the safety of life and property, a protection due to the citizens and residents, whose members have been depleted by the arrow of the Indian and the knife and pistol of the Mexican assassin.

Respectfully submitted.

THOMAS P. ROBB,
RICHARD H. SAVAGE,
THOMAS O. OSBORN,

United States Commissioners to Texas.

Hon. HAMILTON FISH,
Secretary of State.