

MEXICAN BORDER TROUBLES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN ANSWER TO

A resolution of the House of Representatives, transmitting reports from the Secretaries of State and of War in reference to Mexican border troubles.

NOVEMBER 13, 1877.—Referred to the Committee on Foreign Affairs and ordered to be printed.

To the House of Representatives :

In answer to the resolution of the House of Representatives of the 1st instant, I transmit, herewith, reports from the Secretary of State and Secretary of War, with their accompanying papers.

R. B. HAYES.

WASHINGTON, November 12, 1877.

DEPARTMENT OF STATE,

Washington, November 12, 1877.

The Secretary of State, to whom was referred the resolution of the House of Representatives of the 1st instant, requesting the President "to communicate to the House of Representatives, so far as in his judgment may be compatible with the public interests, all information in his possession relating to the condition of the Mexican border in Texas and to any recent violations of the Territory of the United States, by incursions from Mexico" has the honor to lay before the President the papers specified in the subjoined list, which contain the information called for by the resolution.

WM. M. EVARTS.

To the PRESIDENT.

List of accompanying papers.

DIPLOMATIC.

1. Mr. Foster to Mr. Fish, [extract,] No. 503, March 3, 1877.
2. Mr. Evarts to Mr. Foster, No. 379, March 31, 1877, with an accompaniment.
3. Mr. Foster to Mr. Evarts, [extract.] No. 528, April 24, 1877.
4. Mr. Evarts to Mr. Foster, No. 385, May 2, 1877, with an accompaniment.

5. Same to same, No. 392, May 28, 1877, with an accompaniment.
6. Mr. Foster to Mr. Evarts, [extract,] May 28, 1877.
7. Mr. Evarts to Mr. Foster, No. 393, June 4, 1877, with an accompaniment.
8. Same to same, No. 395, June 21, 1877, with accompaniments.
9. Mr. Foster to Mr. Evarts, telegram, June 21, 1877.
10. Same to same, No. 552, June 21, 1877, with an accompaniment.
- [11. Same to same, No. No. 554, June 22, 1877, with accompaniments.
12. Mr. Evarts to Mr. Foster, No. 397, June 22, 1877, with an accompaniment.
13. Mr. Foster to Mr. Evarts, No. 560, June 28, 1877, with accompaniments.
14. Same to same, No. 570, July 7, 1877.
15. Same to same, telegram, July 9, 1877.
16. Same to same, No. 572, July 9, 1877, with an accompaniment.
17. Same to same, No. 580, July 24, 1877, with accompaniments.
18. Governor Hubbard to the President, telegram, August 13, 1877.
19. Mr. Seward to Governor Hubbard, telegram, August 14, 1877.
20. Mr. Seward to Mr. Foster, telegram, August 15, 1877.
21. Same to same, No. 411, August 15, 1877, with accompaniments.
22. Mr. Foster to Mr. Evarts, telegram, August 23, 1877.
23. Same to same, No. 590, August 23, 1877.
24. Same to same, No. 593, August 30, 1877.
25. Mr. Seward to Mr. Foster, No. 413, August 30, 1877, with an accompaniment.
26. Mr. Foster to Mr. Evarts, No. 594, August 30, 1877.
27. Same to same, No. 602, September 11, 1877.
28. Same to same, No. 612, October 6, 1877.
29. Same to same, No. 613, October 12, 1877, with accompaniments.
30. Same to same, No. 615, October 16, 1877, with an accompaniment.
31. Same to same, No. 616, October 18, 1877, with an accompaniment.
32. Mr. Evarts to Mr. Foster, No. 421, October 24, 1877.
33. Señor Mariscal to Mr. Evarts, April 28, 1877, with accompaniments.
34. Mr. Evarts to Señor Mariscal, May 1, 1877.
35. Memorandum left at department by Señor Mariscal on June 7, 1877.
36. Señor de Cuellar to Mr. Evarts, September 7, 1877, with an accompaniment.
37. Mr. Seward to Señor de Cuellar, September 18, 1877.
38. Señor Vallarta to Señor Mata, September 10, 1877, with an accompaniment.

CONSULAR.

39. Mr. Wilson to Mr. Hunter, No. 274, March 9, 1877.
40. Mr. Schuchardt to Mr. Hunter, No. 185, May 14, 1877.
41. Mr. Weber to Mr. Hunter, No. 14, June 30, 1877.
42. Mr. Schutz to Mr. Hunter, No. 13, July 13, 1877.

MISCELLANEOUS.

43. Mr. Schleicher to the President, May 7, 1877, with accompaniments.
44. Governor Hubbard to Mr. Evarts, October 10, 1877, with an accompaniment.
45. Mr. Evarts to Governor Hubbard, October 22, 1877.

CORRESPONDENCE.

DIPLOMATIC.

No. 1.

Mr. Foster to Mr. Fish.

[Extract.]

No. 503.]

LEGATION OF THE UNITED STATES,
Mexico, March 3, 1877. (Received March 16.)

SIR: In an interview which I had with General Diaz on the 23d ultimo, to which reference is made in my No. 502 of this date, I referred to the importance of the Government of Mexico giving greater attention to the preservation of order on, and the prevention of raids into Texas, from the Mexican side of the Rio Grande. I stated that this matter had occasioned the most serious complaint against the administration of Mr. Lerdo, and was a more threatening danger to the friendly relations and peace of the two countries than any other. In the same connection I made a number of suggestions as to measures which I deemed it appropriate for him to take, among which were the designation of a prominent and experienced general of the army, with a suitable force, to take command on that frontier, and to act in accord with the department commander in Texas; and that Cortina be deprived of all authority there, and if possible, be withdrawn entirely from that region.

In reply, General Diaz heartily coincided with me as to the importance of the subject, and expressed his earnest desire to do all that was possible to preserve order and prevent raids in future. He referred to his recent presence on that frontier, which had afforded him an opportunity to become familiar with the situation, and which he hoped would enable him to adopt more efficient measures. He stated that Cortina had already been ordered to the interior of the republic, and that he would not be permitted to exercise authority on the Rio Grande. Altogether, the conversation on the subject was satisfactory, but I will take an early opportunity to again call the attention of General Diaz to the matter, and ask for the adoption of rigorous measures.

I am, &c.,

JOHN W. FOSTER.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C.

No. 2.

Mr. Evarts to Mr. Foster.

No. 379.]

DEPARTMENT OF STATE,
Washington, March 31, 1877.

SIR: I transmit for your information a copy of a letter of the 28th instant, and of its accompaniments, addressed to this department by the Secretary of War. It sets forth many recent instances of marauding parties of Indians and others from Mexico into Texas, and of robberies and murders committed by them.

The opinion of Colonel Shafter that the only way to check these atrocities is to follow the delinquents into Mexico and there attack them in their lairs is probably well founded. As the authorities of that country seem to be unable or unwilling to check the depredations, the President may soon have to take into serious consideration the expediency of acting pursuant to Colonel Shafter's opinion. Undoubtedly it would be preferable to enter Mexican territory for the purpose indicated with the consent or with the acquiescence of the government of that republic. If, however, these should be refused and the outrages persisted in, this government may deem itself warranted in punishing the wrong-doers wherever they may be found.

It may not be amiss for you, informally, to intimate these views to persons of importance at the capital.

I am, &c.,

WM. M. EVARTS.

[Inclosure to No. 2.]

*Mr. McCrary to Mr. Evarts.*WAR DEPARTMENT,
Washington City, March 28, 1877. (Received March 30.)

SIR: I have the honor to transmit for your information copy of a communication of the 9th instant, from Lieutenant-Colonel Shafter, commanding the district of the Nueces, relative to the murder and robbery of American citizens in Texas by raiding parties of Mexicans and Indians from beyond the Mexican border.

Very respectfully, &c.,

GEO. W. MCCRARY,
*Secretary of War.*HEADQUARTERS DISTRICT OF THE NUCES,
Fort Clark, Texas, March 9, 1877.

SIR: I have the honor to report, for the information of the general commanding the department, the following facts in reference to depredations recently committed by marauding parties of Indians and Mexicans from the neighboring Republic of Mexico.

Since the 1st of October, 1876, there have been killed by parties of Indians, that have been followed from the scene of the murder to the Rio Grande, seventeen men, and the arms and horses taken from the murdered men have been openly offered for sale in the town of Saragossa, Mexico.

Since the 30th day of December, 1876, there have been taken from within ten miles of Fort Clark two large droves of horses, about 100 in all, and at least 300 head of cattle in the two raids. The first party was followed about 150 miles into Mexico, to their camp, where nearly a hundred of the cattle had been slaughtered, and the beef was found drying.

Unfortunately the approach of the troops was discovered, and the Indians fled, and have since then been hovering in the vicinity of the towns, to which they would retreat if attacked.

In the two last raids the Indians were kept close to the river, and have recrossed within a few hours.

To head these raiders is almost impossible, as they cross at night and are back again before the second night has passed. Not the slightest attempt is made by the Mexican authorities to control these Indians; they, on the contrary, finding a refuge in the towns when pursued, and a market for their stolen plunder at all times.

Efforts are being made to find out the locality of their camp, and whenever the chance occurs a dash will be made for it. It is, however, only a chance that they are hit, as they are at all times on the alert, and especially so since their camp was struck in July last by the detachment under Lieutenant Bullies.

To prevent, as far as possible, gathering cattle near the river and driving them to Mexico, and also to have companies where they can be put quickly on the trail of Indians who may come out some distance from the river to gather their herd, I have determined to put a company of cavalry in camp on the Rio Grande, half way between San Felipe and Fort Duncan, and another about ten or fifteen miles below the mouth of Pecos. No expense will attend this move, as the companies will go out for a month at a time, and be supplied from Fort Clark.

To effectually put a stop to the Indian raids from Mexico it will be necessary to do all scouting for Indians on the Mexican side of the Rio Grande.

There are now none living in Texas, and hunting for little stealing parties of four or five Indians on this side is useless. Full authority to operate in Mexico as we choose is the only way in which life and property can be made secure on this frontier.

It is an incontrovertible fact that all the raids are made from Mexico to this side, and none from this to Mexico, and the people who are being robbed and murdered are American citizens.

I am, &c.,

W. R. SHAFTER,

Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,

Department of Texas, San Antonio, Texas.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Tex., March 13, 1877.

A true copy. Respectfully forwarded to the assistant adjutant-general Military Division of the Missouri, for the information of the Lieutenant-General commanding.

E. O. C. ORD,

Brigadier-General Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, March 19, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

The Rio Grande is a very long and crooked frontier, and it is impossible to prevent Indians coming over from Mexico and committing depredations of the character reported within. I recommend the Mexican Government be compelled to prevent these hostile incursions.

P. H. SHERIDAN,

Lieutenant-General Commanding.

No. 3.

Mr. Foster to Mr. Evarts.

[Extract.]

No. 528.]

LEGATION OF THE UNITED STATES,

Mexico, April 24, 1877. (Received May 15.)

SIR: On the 21st instant I received your dispatch, No. 379, of the 31st ultimo, with which you transmit a copy of a communication and its accompaniments from the Secretary of War, embracing a report from Colonel Shafter concerning recent incursions of Indians from Mexico into Texas.

In accordance with the indication contained in your dispatch, I called upon Mr. Vallarta, at the foreign office, on yesterday, gave him the facts contained in Colonel Shafter's report, and represented to him the manner in which Colonel Shafter's recommendation for authority to cross the border in pursuit of the raiders had been received by our government. Whereupon a lengthy conversation followed on the general subject of the Texas-border troubles.

I recalled to Mr. Vallarta's attention the fact that, in one of the first interviews which I had with him after the establishment of General Diaz's government in this capital, I represented to him in very strong terms the urgent necessity there was to give early attention to the peace and order of that frontier, and in my first audience with General Diaz I made the same representations to him, assuring him that it was essential to the maintenance of cordial relations between the two countries. I stated that the recent occurrences on that frontier had fully confirmed me in the suggestion which I first made to him, that a military officer of high rank, character, and prudence should be sent to the Rio Grande with a sufficient force of regular federal troops to repress the marauding bands, and compel the local authorities to co-operate in enforcing order and punishing the murderers and robbers.

I expressed regret that my suggestion had apparently had so little effect, as the only person sent to that frontier was General Blanco, who went to Matamoras simply on a political mission, unaccompanied by any federal force, and that his mission, if I had not been incorrectly informed, had proven the truth of the position frequently assumed by me, that the state and local authorities in that region pay very little regard to the orders or wishes of the federal government, as Governor Canales, of Tamaulipas, refused to recognize General Blanco's authority or to be governed by his orders, and that he found it necessary to return to this capital, and I feared it was the same with the other authorities on the Mexican side of the Rio Grande; so that Mr. Vallarta's government ought not to consider it strange that the military officials of Texas should deem it necessary to have authority to pursue the marauders into Mexican territory and punish them for their murders and robberies. This was no new declaration for me to make, as he would see by an examination of my correspondence and interviews with his predecessors in the foreign office.

I referred to the fact that notwithstanding my repeated remonstrances with the past administration for a series of raids into Texas from Mexico, resulting in murders, arson, plundering of government post-offices and custom-houses, robberies, and other outlawry, up to the present time not a single punishment had resulted on the part of the Mexican authorities. The only action taken by the federal authorities during my residence which indicated any vigor or decision was the arrest of General Cortina by order of Mr. Lerdo, and that simply resulted in bringing him to the capital to release him on parole. And it appeared that the government of General Diaz had in his recent arrest even treated him with greater consideration, as it had rescued him from the death-penalty which Canales had caused to be pronounced against him in Matamoras, and, according to the public press, had brought him to this city to be acquitted of all blame.

Mr. Vallarta replied that General Diaz was fully impressed with the importance of preserving the peace of the Rio Grande border, as he had so freely expressed to me, and was desirous of doing all in his power to that end; but that up to the present he had not been able to adopt such measures as he desired, owing to the difficulties necessarily incident to

the readjustment of public affairs after the triumph of the revolution. He said that his government agreed with me, that it was desirable to send to that frontier an able and prudent general, with a sufficient Federal force, to co-operate with the American military authorities; but in order to make this co-operation fully effective it was highly desirable, first, to have the official relations between the two governments restored.

I answered, that the peace of that region ought not to be endangered by a delay in sending a federal force awaiting the recognition of General Diaz's government. Mr. Vallarta acquiesced in this, but said that it appeared important that an understanding be arrived at whereby the American and Mexican military authorities might be able to co-operate in their movements against the Indians and other raiders and outlaws, and that such an agreement should be made by or have the approval of both governments, and that the non-existence of official relations stood in the way of such an understanding. He referred to the reported crossing of Colonel Shafter at Piedras Negras early in this month as a violation of Mexican territory, which did not appear to have the justification alleged in his (Colonel Shafter's) recommendation to our government, as the crossing of the river was not in pursuit of either Indians or other raiders, but to demand the surrender of persons arrested in Mexico by its authorities. To which I responded, that I was not authorized to discuss that occurrence, as I had as yet received no information or instructions concerning it; but, from my acquaintance with the treatment which the Rio Grande troubles had received from the Mexican federal and local authorities in the past four years, I was not surprised to be informed that events had occurred which, in the judgment of our military officers, had made a crossing of the border necessary.

Referring to the visit of General Blanco to Matamoras, Mr. Vallarta said that his mission was purely of a political character, growing out of the difficulties existing between Revueltas, Cortina, and Canales; but he did not deny my allegation of the insubordination of Canales, now in command at Matamoras. He stated that this visit had resulted in the removal from that region of General Cortina, who was regarded as one of the chief causes of the border troubles, and that his government considered that as an important step in the direction of pacification, and that whatever might be the treatment he would receive here he would not be permitted to return to the Rio Grande.

Mr. Vallarta was quite earnest in impressing upon me the desirability in this connection of restoring the official relations between the two countries, upon which event, he said, depended the adjustment also of other questions, to which he alluded in passing, but which need not be referred to in this dispatch.

* * * * *

In this connection, it may be proper to refer to the fact that early last year I obtained an assurance from the Mexican Government that it would remove the small bands of Indians in Mexico, near the Texas frontier, to distant points in the interior of the country, and place them under such surveillance as to prevent their raids into Texas.

But the administration of Mr. Lerdo was so occupied with the revolution that it never carried out this resolution. I hope with the establishment of official relations to have this measure, so important for our frontier protection, carried into execution.

I am, &c.,

JOHN W. FOSTER.

MEXICAN BORDER TROUBLES.

No. 4.

Mr. Evarts to Mr. Foster.

No. 385.]

DEPARTMENT OF STATE,
Washington, May 2, 1877.

SIR: Referring to your dispatch No. 522, I transmit herewith for your information, and to enable you to make explanations upon the subject, a copy of a letter, under date of the 19th ultimo, from the Secretary of War, and of the report of General E. O. C. Ord, which accompanied it, in relation to the crossing of United States troops into Mexican territory at Piedras Negras.

I am, &c.,

WM. M. EVARTS.

[Inclosure to No. 4.]

*Mr. McCrary to Mr. Evarts.*WAR DEPARTMENT,
Washington City, April 19, 1877.

SIR: I have the honor to transmit for your information the inclosed copy of a report made by General E. O. C. Ord, commanding Department of Texas, on a communication from the Department of State, dated the 21st ultimo, inclosing a copy of a dispatch, dated 9th March last, from the United States consul at Matamoras, suggesting the withdrawal of the United States gunboat Rio Bravo.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The Hon. SECRETARY OF STATE.

Copy of indorsement and inclosures thereto, containing report or communication from Department of State of March 21, 1877, inclosing copy of dispatch of 9th instant, from United States consul, Matamoras, suggesting the propriety of withdrawing the United States gunboat Rio Bravo, from that place, requesting War Department views in the premises.

[First Indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, March 26, 1877.

Respectfully referred to the commanding general Department of Texas, through Headquarters Military Division of the Missouri, for his opinion and report. These papers to be returned therewith.

W. T. SHERMAN,
General.

[Second Indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, March 29, 1877.

Respectfully transmitted to the commanding general Department of Texas.
By command of Lieutenant-General Sheridan.

R. C. DRENO,
Assistant Adjutant-General.

[Third Indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, April 9, 1877.

Respectfully returned to the Adjutant-General of the Army, calling attention to the objections of General Ord stated in the inclosed report.

P. H. SHERIDAN,
Lieutenant-General Commanding.

Report.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., April 3, 1877.

SIR: The letter, herewith returned, of Consul Wilson evidently conveys erroneous impressions. The gunboat was ordered to Brownsville, and is not nor has been at a foreign port; that I am aware of, except for a few days. The order was issued, sending her to the station, at the special request of the general commanding the department, made through the general of division and commanding general to the President, and approved by him, the object being to suppress raiding and have ready facilities for crossing into Mexico, so as to seize stolen property, which the so-called authority were averse to or unable to recover. The raiding still continues, and the unreliable character of the local, as also State, authorities is as fully as great, if not greater, than when the department commander applied to have a gunboat stationed at Brownsville.

I visited Matamoras and Brownsville about four months since. General Revueltas, a gentleman and good officer, was then in command at Matamoras, and had been for some six months; but there was a want of harmony and personal good feeling between the consul and the commanding officers, both of the Army and Navy. The military authorities ascribed this to the disposition of the Mexican commanding to consult them rather than the consul, and to the fact that on official or formal reception the consul had not been assigned the first place.

The character for sobriety of the commander of the Rio Bravo was such that I examined into this matter with some care, and I came to the conclusion that the interests of the United States would be promoted if both the consul and the present commander of the gunboat at Matamoras could be placed at some other station. (See my telegraphic report in regard to the request of Texas delegates for the release of one John Jay Smith.) I also recommend that the naval commanders there have authority to hire, when a demand should occur for its use, a light-draught steamboat, such a one as can be found at any time lying alongside the Bravo, that boat being too heavy to get up the river, except at high-water; then the naval detachment could really be of use in suppressing raiding, and could reach objective points up the river. The gunboats furnished her are also too deep for this purpose.

In connection with this matter, I beg to call the attention of the Secretary of State to the evident and recent change in the demeanor of the local and revolutionary authorities along the Mexican borders adjacent to this department. As long as President Juarez or Lerdo were in authority at the center of Mexico, and when the border State authorities pretended to defer to those central governments, there was some respect and good-will shown to the American agents and military commanders along the Rio Grande; but since the last revolution in Mexico the worst elements seem to have come to the surface, and instead of respect or cordiality between the local and revolutionary authorities and that of our government, there is often open and undisguised hostility.

The condition of affairs on this frontier is such as to call for serious consideration, whether it is not now necessary for this government, for the protection of its citizens along this border, to do something besides act as spectator of the contest between guerrilla leaders for mastery in contiguous States of Mexico. Our citizens are being now plundered more than has been customary by the bands of Indians from the opposite side, some of whom exhibit passes from the local authorities, and there seems to have been an offensive alliance entered into between them and the local governor of Coahuila.

Recently, when I learned that the alcalde of Piedras Negras had arrested a couple of guides who had been employed as trailers to follow raiding bands across into Mexico, under authority from the general commanding the Army, and who I learned would probably be executed, I telegraphed for their status. (See reply, marked "A.") I then directed formal application for their release; and Col. Schofield informed me that the alcalde refused, stating that his orders were to imprison all who had guided us in Mexico, (see telegram marked "B.") Upon the principle that if two of our Crow Indian guides were in the hands of the Sioux, we would deserve and receive no respect from the Crow allies, or any other, if we did not make every effort to release our guides, I telegraphed the commander of the district to use his available troops promptly to secure their release. But as the present governor is reputed energetic and prompt in shedding the blood of prisoners, I fear the efforts to release them will be futile.

In Chihuahua I learn that there is a contest waging between Diaz, aided by the wild Indians and other desperate adventurers, and the parties claiming to act under the Diaz faction. The probabilities are that Diaz will win.

I should add, in explanation of the matter of the guides, that a few months since, when Colonel Shafter employed the Mexican guides, the authorities then in power were disposed to encourage his pursuit of the raiding Indians, and consented to his crossing into Mexico. The services of the guides were secured, I believe, through the agency of the American consul, Mr. Schuchardt, who furnished the information lately

that they would probably be summarily executed. (See General Schofield's dispatch, "C." Since writing the above, the dispatches received marked "D" and one sent marked "E.")

Very respectfully, your obedient servant,

E. O. C. ORD,

Brigadier General, United States Army, Commanding.

ASSISTANT ADJUTANT-GENERAL,
Military Division of the Missouri, Chicago, Ills.

P. S.—I would respectfully refer to General Thomas L. Rane, of Kaneshville, Pa., who recently visited this country and Coahuila, Mexico, for his views, and to some extent as witness to the terrorism among the frontier settlers on account of the continual raiding and frequent murders committed by the Indians from Mexico.

Respectfully, &c.,

E. O. C. ORD,

Brigadier-General Commanding.

[Telegram.]

WAR DEPARTMENT, SIGNAL-SERVICE, U. S. A.,
United States Telegraph.

Dated Brown, Texas, March 26, 1877. Received at San Antonio, Texas, March 26, 1877, 4.30 p. m.

To TAYLOR, A. A. G.,
San Antonio:

Detachment of Eighth Cavalry from Ringgold, with hide-inspector, captured three cattle-thieves, with seventy head of stolen stock.

DEVINE,
Commanding.

[Telegram.]

General Ord to General Shafter.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, April 1, 1877.

Colonel SHAFTER,
Commanding District Nueces, Clark:

• Send the following to Colonel Taylor or Post Commander Duncan.

Shafter telegraphs that his two late guides are seized and in danger at Piedras Negras. See authorities and call attention that this indicates a determination on their part to protect the raiding Indians. Say that I act by authority from Washington when I pursue them with view to punish them and recover their booty; that parties protecting them become like the principals in the robberies and will be so considered. I have telegraphed Shafter to say to Schuchardt that if the guides claim to be American citizens he, Shafter, must protect them. Use your discretion in communicating the last information to the authorities, for if it becomes necessary to take summary action, perhaps better not warn them.

ORD,
Brigadier General.

WAR DEPARTMENT, SIGNAL-SERVICE,
United States Telegraph, dated Clark, April 1, 1877.

To General ORD, *San Antonio:*

If telegram from Schofield, which I expect to-night, indicates danger of execution of the men, I will be at Duncan to-morrow with Colonel Shafter and sufficient force to release the men. I will give Colonel Shafter the necessary orders in writing and accompany the troops.

TAYLOR,
Acting Adjutant General.

WAR DEPARTMENT, SIGNAL SERVICE, U. S. A.,
United States Telegraph.

Dated Duncan April 1, 1877. Received April 1, 1877.

To General ORD, *San Antonio:*

Schuchardt thinks if the demand for release is made by me as you direct, the authorities will give the men up. I believe they will.

SCHOFIELD.

A.

WAR DEPARTMENT, SIGNAL SERVICE, U. S. A.,
United States Telegraph.

Dated Duncan, April 1, 1877. Received April 1, 1877.

To General ORD, *San Antonio* :

They are in prison at Piedras Negras, held as traitors.

SCHOFIELD.

Schuchardt is in office.

NOTE.—Above in answer to telegram asking status of guides reported in prison.
 E. O. C. O.

B.

WAR DEPARTMENT, SIGNAL SERVICE, U. S. A.,
United States Telegraph.

Dated Duncan, April 2, 1877. Received April 2 at 10 a. m.

To General ORD, *San Antonio* :

Saw authorities at Piedras Negras last night, but made no positive demand and no threat; they are decidedly firm, and are acting by authority of governor of State at Saltillo. Governor was notified by courier two days ago of arrest. From this I judge the men will not be sent off unless we alarm them. The governor's order did not designate these two men by name, but was general—regard to all who had guided United States troops into Mexico. Full particulars telegraphed Shafter.

SCHOFIELD.

C.

WAR DEPARTMENT, SIGNAL SERVICE, U. S. A.,
United States Telegraph.

Dated Duncan, April 1, 1877. Received April 1, 1877.

To General ORD, *San Antonio* :

Schuchardt says the authorities will give the guides a sham trial and then shoot them. I will visit Piedras Negras to-night, and see the authorities under your instructions.

SCHOFIELD.

NOTE.—Schuchardt is the American consul at Piedras Negras. By authorities, he means revolutionary alcalde.

ORD.

D.

WAR DEPARTMENT, SIGNAL SERVICE, U. S. A.,
United States Telegraph.

Dated Duncan, April 3, 1877. Received April 3, 1877—10.30 a. m.

To ORD, *Brigadier-General* :

I arrived here with Shafter last night at 10.30 o'clock. At 2 a. m. Shafter moved up the river with three companies of cavalry, and crossed Rio Grande with view of moving down and occupying rear of Piedras Negras. At early dawn, as soon as we could see to move intelligently, Schofield crossed with two companies of infantry. I accompanied the latter command. We were challenged and threatened by small party, but no other opposition was made. The detachment landed, moving rapidly, occupied the main plaza, seizing the jail in which the prisoners were supposed to be confined. The door of the cell was found open as well as the main entrance, and the jail deserted. Shortly afterward the cavalry came in from the rear. The prisoners had, I think, been removed in the early part of the night, the Mexicans having learned that interest was taken by us. Authorities on the river were, no doubt, on the *qui vive*, and had confederates on

this side to give warning. I do not think any better arrangements than those adopted could have been made. As soon as the fact was discovered that the prisoners had been removed, the town was evacuated. While held no violence was done to any citizen; no shot fired. Everything was conducted in the most orderly and soldierly manner.

TAYLOR, A. O. G.

E.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, April 3, 1877.

To Colonel TAYLOR, *Fort Duncan :*

Send promptly through alcalde of Piedras Negras, to the governor of Coahuila this:

"The department commander of Texas has learned with surprise that the governor of Coahuila has ordered the arrest of two men who acted as guides to a party of United States troops, in pursuit of wild Indians, who were taking refuge in the mountains of Mexico with stock stolen from the United States. That injuries to these guides for services done the United States Government, or an expedition which was undertaken with the consent of the *de facto* commander of the Mexican forces of the district, cannot but be regarded as a declaration on the part of the present governor to co-operate with the wild Indians, refugees from the United States, in their depredations upon this Territory, and will be so reported to the President. Sign by order. State that this letter is telegraphed."

ORD.

No. 5.

Mr. Evarts to Mr. Foster.

No. 392.]

DEPARTMENT OF STATE,
Washington, May 28, 1877.

SIR: I transmit a copy of a letter of the 16th instant, and of its accompaniments, addressed to this Department by the Secretary of War. It relates to another raid into Texas by Mexicans and Indians from Mexico, the result of which was a theft of two hundred head of cattle.

It is apprehended that the Mexican Government is not well aware that, although for a heavy pecuniary consideration, it has released the United States from the obligations in respect to predatory incursions of Indians from this country into Mexico, the obligations of that government in respect to similar marauders from that country into the United States are entire, as provided for both by public law and by treaty. The duty of that government, therefore, at least to aid in restraining its savages from depredations upon us, seems to be clear. If this duty shall continue to be neglected, we may be compelled in self-defense to disregard the boundary in seeking for and punishing those bandits.

You will make known these sentiments in the proper quarter, but it is not expected that at present you will address an official remonstrance to that government on the subject.

I am, &c.,

WM. M. EVARTS.

[Inclosure to No. 5.]

Mr. McCrary to Mr. Evarts.

WAR DEPARTMENT,
Washington City, May 16, 1877. (Received May 18.)

SIR: I have the honor to transmit for your information a copy of a report of Lieut. Col. W. R. Shafter of a raid by Mexicans and Indians in Texas, carrying off two hundred head of cattle, and beg to invite your attention to the remarks of Lieut. Gen. Sheridan indorsed thereon.

Very respectfully, &c.,

GEO. W. MCCRARY,
Secretary of War.

[Telegram.]

SIGNAL SERVICE, U. S. A. *United States Telegraph.*

Dated Fort Clark, Texas, 1877. Received April 24, 1877.

TAYLOR, A. A. G.,

D. Texas, San Antonio, Texas :

The following dispatch received yesterday from Castroville :

"Party of thirty-five Indians and Mexicans raided through Quihi, Hondo, and New Fountain last night, carrying off two hundred head of horses; trail moving southwest, crosses line eight miles below here."

Immediately upon receipt of this dispatch, Lieutenant Stevenson, with forty men, has been ordered to the Nueces, about sixty miles southeast of Duncan. Company B, Tenth Cavalry, is at Duncan, ready to start in any direction required. Orders were also sent to Lieutenant Van Vliet, in Frio Cañon, to go to Dhanis, take the trail and follow it. Rangers in Nueces Cañon and people at Frio City, also notified three companies cavalry near here, one company at San Felipe and Bullis, between mouth of Devil's River and Pecos, ready to start as soon as I can get definite information as to point they are bearing for.

SHAFTER, *Commanding.*

[Telegram.]

FORT CLARK, TEX., *April 28, 1877.*

To TAYLOR, A. A. G. :

Department Texas, San Antonio :

Following telegram received :

"Lieutenant Dolan, Texas Rangers, says, 'I followed the Indian trail near Penden-cia; rained hard and put out trail; think they crossed below Presidio; they have about thirty-five horses to my knowledge; may have had more. Indians had a fight with citizens at Lumaville, in which one Indian and one white man was killed.'" Schofield says: Courier in from Stevenson says several bands Indians in vicinity of Corisa. Followed one trail of twelve, but lost it in heavy rain-storm. Indians in small parties are hidden in thick brush watching chance to steal stock. Thinks he can catch some of them there. Telegrams were received on 26th. To-day Van Vliet reports from Frio City: The recent raids in this section have been committed by a party of six Indians, who, commencing at Quihi, worked southwest along the Pecos. They were pursued from the Lona by a party of herders southwest and one of their number killed 50 miles from here, and 30 head of stock recaptured. This occurred on 23d instant. The Indians were scattered and could not be overtaken, since which time trail has been entirely washed out. Stevenson with 40 men of Company K, Eighth Cavalry, and Dhanis's Company, is now on the Nueces trying to hunt up Indians hiding there. Boyd, with Company B, Eighth Cavalry, is scouting along the river, 35 miles below Duncan, toward mouth of San Pedro. Don't think they will get off with much stock.

SHAFTER, *Commanding.*

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, April 30, 1877.

A true copy. Respectfully forwarded to the assistant adjutant-general, Military Division of the Missouri, for the information of the Lieutenant-General commanding.

J. H. TAYLOR,

Assistant Adjutant-General in the absence of the Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, May 5, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

As I have heretofore had occasion to observe, the Rio Grande is a very long and difficult frontier to protect, and notwithstanding the activity of our troops it is found almost impossible with the means at hand, to prevent these marauding incursions from Mexico, and I recommend that the proper authorities take some steps to require the Mexican government to aid in the protection of that frontier.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

No. 6.

Mr. Foster to Mr. Evarts.

[Extract.]

UNITED STATES LEGATION,
Mexico, May 28, 1877. (Received June 8.)

SIR :

* * * * *

Mr. Vallarta informs me that the President will dispatch to that frontier a prominent and prudent general, with a sufficient Federal force to compel obedience and co-operation on the part of the local authorities, and that the General in command will place himself in communication and act in accord with General Ord in repressing outlawry on that frontier. Mr. Vallarta said his government recognized the importance of the frontier question, and was determined to do all within its power to bring about a satisfactory solution of it.

* * * * *

Very truly,

JOHN W. FOSTER.

No. 7.

Mr. Evarts to Mr. Foster.

No. 393.]

DEPARTMENT OF STATE,
Washington, June 4, 1877.

SIR: Referring to the previous correspondence upon the subject, I transmit herewith a copy of a letter, under date of the 1st instant, from the Secretary of War, and of its accompaniment in relation to the suppression of raids by marauding parties from Mexico across the border into Texas.

I am, &c.,

WM. M. EVARTS.

[Inclosure to No. 7.]

*Mr. McCrary to Mr. Evarts.*WAR DEPARTMENT,
Washington, June 1, 1877.

I have the honor to transmit, herewith, for your information, a copy of instructions issued to General W. T. Sherman, commanding the Army of the United States, in relation to the suppression of raids, by marauding parties from Mexico, across the border into Texas.

Very respectfully, &c.,

GEO. W. MCCRARY,
*Secretary of War.**Secretary of War to General Sherman.*WAR DEPARTMENT,
Washington, June 1, 1877.

GENERAL: The report of W. M. Shafter, lieutenant-colonel, Twenty-fourth Infantry, commanding the district of Nueces, Texas, concerning recent raids by Mexicans and Indians from Mexico into Texas for marauding purposes, with your indorsement of the

29th ultimo, has been submitted to the President, and has, together with numerous other reports and documents relating to the same subject, been duly considered.

The President desires that the utmost vigilance on the part of the military forces in Texas be exercised for the suppression of these raids. It is very desirable that efforts to this end, in so far at least as they necessarily involve operations on both sides of the border, be made with the co-operation of the Mexican authorities; and you will instruct General Ord, commanding in Texas, to invite such co-operation on the part of the local Mexican authorities, and to inform them that while the President is anxious to avoid giving offense to Mexico, he is nevertheless convinced that the invasion of our territory by armed and organized bodies of thieves and robbers to prey upon our citizens should not be longer endured.

General Ord will at once notify the Mexican authorities along the Texas border, of the great desire of the President to unite with them in efforts to suppress this long-continued lawlessness. At the same time he will inform those authorities that if the Government of Mexico shall continue to neglect the duty of suppressing these outrages, that duty will devolve upon this government, and will be performed, even if its performance should render necessary the occasional crossing of the border by our troops. You will, therefore, direct General Ord that in case the lawless incursions continue he will be at liberty, in the use of his own discretion, when in pursuit of a band of the marauders, and when his troops are either in sight of them or upon a fresh trail, to follow them across the Rio Grande, and to overtake and punish them, as well as retake stolen property taken from our citizens and found in their hands on the Mexican side of the line.

I have, &c.,

GEO. W. MCCRARY,
Secretary of War.

No. 8.

Mr. Evarts to Mr. Foster.

No. 395.]

DEPARTMENT OF STATE,
Washington, June 21, 1877.

SIR: I transmit a copy of letters to this department from the Secretary of War, of the 13th, 15th, and 16th instant, with their accompaniments. They relate to a conflict between troops in the service of Diaz and other forces, supposed to be in the interests of Lerdo, on the Rio Grande frontier. It seems that the Diaz troops, after defeating and routing their adversaries on Mexican soil, pursued them into Texas, where they again attacked and dispersed them. This was a violation of the territory of the United States which you will lose no time in remonstrating against.

While it is deemed hardly probably that this unjustifiable invasion of American soil was made in obedience to any specific orders from the Mexican capital, it is, nevertheless, a grave violation of international law, which cannot, for a moment, be overlooked. You are instructed to call the attention of the officers of the *de facto* government with whom you are holding unofficial intercourse, to this case, and to say that the Government of the United States will confidently expect a prompt disavowal of the act, with reparation for its consequences, and the punishment of its perpetrators.

I am, sir, &c.,

WM. M. EVARTS.

[Inclosure 1 in No. 8.]

Mr. Crosby to Secretary of State.

WAR DEPARTMENT,
Washington City, June 13, 1877.

SIR: I have the honor to transmit for your information copy of a telegram from General Sheridan, communicating a dispatch from the adjutant-general, Department

of Texas, relative to two engagements alleged to have taken place between Mexican troops and revolutionists under Valdez, the first occurring on the Mexican side, the latter on the American side of the Rio Grande; also a copy of a telegram to General Sheridan communicating the action of the President in the premises.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk.

[Telegram.]

CHICAGO, June 12, 1877.

(Received, Washington, June 12, 1877, 1.30 a. m.)

To General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch from the adjutant-general, Department of Texas, has just been received and is forwarded for the information of the General of the Army. I would state that the recent telegram from the General of the Army, enjoining a greater degree of caution upon General Ord, was immediately transmitted to him. The man Valdez, referred to in Captain Kelley's dispatch, is, to the best of my recollection, a revolutionary leader in Mexico. He was at one time driven to the American side of the river at Eagle Pass, where he surrendered himself and his troops and was sent as a prisoner to San Antonio, and afterwards released. I think that he is now at the head of a movement in the interests of ex-President Laredo, (L-rdo), and probably has his backing at San Antonio, where General E-cob do has recently been staying. I presume that the two engagements which Captain Kelley says occurred, one on the Mexican side of the Rio Grande and the other upon our side, took place between some parties commanded by Valdez and the regular troops of the Diaz government. I apprehend nothing from this affair save the ordinary confusion incident to the Rio Grande frontier.

P. H. SHERIDAN,
Lieutenant-General.

SAN ANTONIO, TEX., June 12, 1877.

The following just received, and answered not to cross:

"FORT CLARK, June 11, 1877.

"To General ORD, *San Antonio:*

"Following just received. My men will be ready to start by midnight. Shall I cross the Rio Grande in pursuit of these troops and attack them if I can overtake them? Please answer at once.

"RAFTER (SHAFTER?)
"Commanding Post.

"SAN FELIPE, June 11, 1877.

"To ACTING ASSISTANT ADJUTANT-GENERAL,
"District of Nueces:

"I have the honor to report that a few moments ago three men of the commands of Winkar and Valdez came into camp in great haste reporting that yesterday while in camp in Mexico, not far from the mouth Devil's River, they (Winkar's command) had an engagement with Mexican regular troops, and being defeated fled to the American side of the river and encamped near Painted Caves, about the vicinity of Lieutenant Bullis's old camp. They report that to-day about noon they were attacked in camp by the Mexican troops and before they had time to escape many were killed. The Mexican troops numbered about 400. Any refugees will be retained in camp here until I receive orders concerning them. I start with all available men—thirty-five—to the scene of the attack. Colonel Martinez is one of the men here.

"J. M. KELLEY,
"Captain Tenth Cavalry."

General Ord left here this morning for Eagle Pass.

TAYLOR,
Acting Adjutant-General.

[Telegram]

HEADQUARTERS OF THE ARMY, ADJUTANT-GENERAL'S OFFICE,
Washington, June 13, 1877.

Lieutenant-General P. H. SHERIDAN,
Commanding Division Missouri, Chicago, Ill.:

Your dispatch of 12th, concerning crossing of Mexican troops into Texas, read to the President, and orders for our troops not to cross approved.

E. D. TOWNSEND,
Adjutant-General.

[Inclosure 2 in No. 8.]

Mr. Crosby to the Secretary of State.

WAR DEPARTMENT,
Washington City, June 15, 1877.

SIR: I have the honor to transmit, for your information, a copy of a telegram from Lieutenant-General Sheridan dated the 15th instant, reporting that Colonel Shafter has interned a number of Mexican soldiers recently engaged in conflicts on the Rio Grande, and who fled to our side of the river; also a copy of the reply of the Adjutant-General of the Army to General Sheridan's question as to what disposition should be made of the persons above referred to.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk.

[Telegram.]

CHICAGO, June 15, 1877.
(Received, Washington, June 15, 1877, 12.40 p. m.)

To General E. D. TOWNSEND,
Washington, D. C.:

Colonel Shafter, commanding at Fort Clark, Texas, has interned two colonels, two lieutenant-colonels, five captains, and forty-five privates, Mexicans recently engaged in conflicts on the Rio Grande, and who fled to our side. What shall be done with these prisoners? I doubt if they are worth the rations which we will be obliged to issue to them if we keep them.

P. H. SHERIDAN,
Lieutenant-General.

[Telegram.]

HEADQUARTERS OF THE ARMY,
Washington, D. C., June 15, 1877.

Lieutenant-General SHERIDAN,
Commanding Division Missouri, Chicago, Ill.:

Your dispatch concerning interned Mexicans has been submitted to the President, who directs that, if necessary to preserve peace on the borders, they be kept under the present restraint and rationed until further orders.

E. D. TOWNSEND,
Adjutant-General.

[Inclosure 3 in No. 8.]

Mr. McCrary to Secretary of State.

WAR DEPARTMENT,
Washington City, June 16, 1877.

SIR: I have the honor to transmit, for your information, a copy of a telegram of the 11th instant from General Ord, stating that he had anticipated the order not to cross into Mexico, and given instructions accordingly. He repeats a telegram from Mr. Schuchardt concerning Areolo and his band; and states that the central government has no troops to maintain its authority on the frontier.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

[Telegram.]

SAN ANTONIO, June 11, 1877.

General DRUM, *Chicago*:

Telegram regarding raids received. Anticipated that orders (to) cross might stir up central authority. Instructions had been sent to meet such action. At present central Mexican Government not troops to maintain its own authority on frontier. Following shows:

"EAGLE PASS, June 4, 1877.

"To Colonel SHAFER, *Fort Clark, Tex.*:

"Areola, a noted bandit, terror of all parties, with thirty men, is in the oak timber at La Prieta y Una, a creek that empties about seven leagues above San Felipe in the Rio Grande valley—anti-Diaz. Surprised a detachment at San Juan de Sabina, captured a lot of horses and arms, and eight prisoners. General Trevino, of Diaz's faction, is at Santa Rosa. An American who came yesterday from Monclara says there is not over 200 regular soldiers between here and Saltillo.

"WM. SCHUCHARDT."

ORD,

Brigadier-General Commanding,

[First indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, June 13, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General Commanding.

No. 9.

Mr. Foster to Mr. Evarts.

[Telegram.]

MEXICO, June 21, 1877.

Hon. WILLIAM M. EVARTS,
Secretary of State, Washington:

Mexican minister of war issued order on 18th, occasioned by Secretary McCrary's instructions to General Ord, but was not made known to me till after departure of steamer's mail. It orders General Trevino and northern division of army to frontier at once, to prevent raids into Texas and repel with force any invasion of Mexican territory by American troops. It characterizes instructions to Ord as violation of treaties of rules of international law, and even of practice of civilized nations, and as an insult sought to be inflicted on Mexico.

JOHN W. FOSTER.

(Via Brownsville, June 28.)

No. 10.

Mr. Foster to Mr. Evarts.

No. 552.]

LEGATION OF THE UNITED STATES,
Mexico, June 21, 1877. (Received July 16.)

SIR: I inclose herewith a copy and translation of the instructions of the Mexican minister of war, dated on the 18th instant, addressed to General Trevino, commanding the division of the north of the Mexican

army. These instructions are occasioned by the receipt of a copy of Secretary McCrary's order to the General of the Army containing the instructions to General Ord in reference to preventing the raids from Mexico into Texas.

In view of the extraordinary character of the inclosed order, I have protested to the minister of foreign affairs against its unwarranted assertions in regard to the action and intention of our government, and have stated that I regard its spirit as unfriendly and calculated unduly to excite and prejudice the Mexican people against the United States.

I am, &c.,

JOHN W. FOSTER.

[Inclosure in No. 10.—Translation.]

Order of Mexican minister of war.

DEPARTMENT OF WAR.

The United States War Department has issued an order on the 1st instant, a translated copy of which I herewith inclose, authorizing the troops of that country to invade our national territory, with the object of pursuing the evil-doers to which it refers, to capture the same, punish them, and recover the property stolen from the United States citizens. Although the plenipotentiary of Mexico at Washington, who protested against that order on account of the offense that it implies toward our country, assures the foreign department by telegraph that he has received friendly explanations from the American Government, the President thinks that the honor of the country will not be satisfied except with a modification of the said order, in such terms that it shall not be in contradiction, as it is now, with the treaties in force between Mexico and the United States, with the rules of international law, and even with the practice of civilized nations.

The President has already disposed what is convenient in order that the serious questions to which that order has given rise be treated in a suitable form and manner with the Cabinet of Washington; but as its urgency on the frontier of the neighboring republic may occasion conflicts between the two nations, even before those questions can be discussed, the same supreme magistrate has deemed it his duty to communicate to you, as commander of the line of the north, certain instructions which may prevent as far as possible the said conflicts, or at least in an extraordinary case preserve the honor and dignity of the republic.

Therefore the President determines that as soon as you receive the present communication you shall order the division under your command to be situated at such points as you may deem convenient, with the object of protecting the Mexican frontier, and preventing that the robbers of either side of the Rio Grande shall remain unpunished for the mere fact of crossing the river. To this effect you will, with the utmost zeal and activity, pursue the evil-doers that may commit any robberies on Mexican territory who seek to escape to the United States, as well as those who, committing any robberies in the neighboring country, shall come to Mexico fleeing from justice, and seeking impunity in our territory.

These prosecutions which you may order shall only be made within the limits of the republic, and once that the criminals shall have been captured, you will place the same at the disposition of the competent courts.

Mexico has celebrated with the United States an extradition treaty, which was published on the 20th of May, 1862. This treaty is in full force, and you will subject your conduct to the same, whenever any criminals captured by your forces be claimed by the military or civil authorities of the neighboring republic, and those that may have committed any of the offenses stipulated in said treaty. Whenever, in order to effect the pursuit referred to, it be necessary to act in accord with the military or civil authorities of the United States, you will invite the same so that they may co-operate with you toward the success of the respective operations.

And when you, on the other hand, receive a like invitation from the said authorities, you will zealously endeavor to accede to it, doing everything in your power in order to capture the criminals. This agreement between the commanders and authorities of both countries shall in no case authorize the passing of foreign troops into our territory, an authorization which cannot be granted even by the President of the republic, because fraction 16, article 72, of the federal constitution reserves it exclusively

to the Congress of the union. In obedience to that law, you will by no means consent that the troops of the United States enter our territory, and out of respect to sovereignty of that republic, you will likewise prevent Mexican forces from trespassing on foreign soil.

At the shortest possible time you will communicate to General Ord, or to the superior commander of the United States forces on the frontier, these instructions, acquainting him at the same time with the dispositions you may dictate, in order to render them effective. You will also endeavor to accord with the said commander with regard to the operations to be undertaken in combination with him for the capture of evil-doers and their most effective punishment, giving him to understand that the desires of the President on this point have no other restrictions than those imposed upon him by international law, the treaties now in force between the two countries, and the dignity of the republic. And, as a consequence of those restrictions, you will inform the said commander that as the Government of Mexico cannot allow a foreign force to enter the national territory without the consent of the Congress of the union, and much less that the said force shall come to exercise acts of jurisdiction, as those expressed in the order of the United States War Department, you will repel force by force should the invasion take place.

In dictating this extreme measure the President has had in view those considerations which no Mexican can forego when the defense of the national honor is in question. The Supreme Magistrate of the republic believes that he faithfully interprets the feelings of the Mexicans if he accepts the situation in which he is placed rather than the humiliation of an offense which would reduce Mexico to the condition of a barbarous country, and beyond the communion of international law. The President does not wish, however, that the attitude assumed by the soldiers of the republic in front of troops trespassing upon our territory, infringing international law, be reputed, as an act of hostility toward the United States, but that it be considered as the exercise of the legitimate right of self-defense that appeals to arms only in the extreme case when amicable means are unavailable to make it respected.

This is not the proper time, nor is it of the incumbence of this department to discuss the order of the United States War Department showing the errors contained in Colonel Shafter's report, which has given rise to the same, nor inquiring into whether the Mexican Government has neglected its duty in preventing on its part the depredations of the marauders on the frontier, a reason or motive appealed to by the American Government in order to take upon itself the fulfillment of that duty, ordering even the invasion of our territory. In order to treat this matter conveniently the necessary instructions have been given to our minister at Washington.

I request you to appoint a commissioner *ad hoc* near the American commander, who shall express to him what I have here stated. Send to the said commander by that commissioner a certified copy of this communication so that he may become thoroughly acquainted with the measures dictated by the government of the republic.

I deem it unnecessary to recommend to you the faithful and exact fulfillment of the instructions I hereby communicate to you by order of the President; our national honor is therein interested, and this suffices to expect of your patriotism to act with the prudence demanded by this serious question, in order to avoid any cause of conflict between the two countries; acting, however, with due energy, and repelling by force the insult that it is being sought to inflict on Mexico by the invasion of her territory.

City of Mexico, June 18, 1877.

PEDRO OGAZON.

To the General of Division, GERÓNIMO TREVIÑO,
In command of his forces, Piedras Negras.

No. 11.

Mr. Foster to Mr. Evarts.

No. 554.]

LEGATION OF THE UNITED STATES,
Mexico, June 22, 1877. (Received July 16, 1877.)

SIR: The feeling which has been manifested by the Mexican public upon the publication of the instructions to General Ord in regard to the Rio Grande frontier has been most intense. That which has contributed most to fan this feeling into a flame has been the order of the Mexican

minister of war to the commander of the northern division of the army, which order I inclosed in my No. 552.

As indicating the temper of the public mind I inclose herewith articles from the leading newspapers published in this capital upon the subject.

I am, &c.,

JOHN W. FOSTER.

[Inclosure 11 n No. 11.]

[From La Epoca—Diaz administration.]

THE DIFFICULTIES WITH THE UNITED STATES OF THE NORTH.

At this moment it is difficult, if not impossible, to judge with calmness what is passing between Mexico and the United States of the North. Nevertheless it is our duty to examine every question with impartiality, and we will now comply with our obligations as far as it is possible.

The origin, or the pretext at least, of these difficulties are the depredations which it is said are committed on the American side by bands of robbers organized on this side of the Bravo, (Rio Grande.)

The pretext, which is presented as a motive for the hostilities which the American Government has really declared against Mexico, contains the explicit defense against the charges made against her.

As Mr. Iglesias says in his protest, it has been demonstrated by facts, with which the American Government is acquainted, that said invasions are reciprocal. Sometimes the robbers pass from Mexico to the United States; at others they come from Texas to Mexico. As a proof of this truth, we can cite a case which came to the notice of the department of foreign affairs. Some marauders having been apprehended by the Mexican authorities, it was found that they had arms and overcoats belonging to the United States.

We should suppose that the government has always been animated by a lively consciousness of its international duties, and for this reason, if it did not prevent the depredations of its citizens on Mexican territory, it was not because it did not wish to do so, but because it could not, notwithstanding its immense elements of strength and power. And this is the truth; that immense zone is a desert, and a numerous army would not be sufficient to absolutely prevent evil-doers in either country from committing depredations on pacific people on both sides of the Rio Bravo. The fact, then, that the American Government, feeling its impotence to protect its own household, demands of us, placed as we are by misfortune in conditions inferior in power to it, to do what it cannot do, is an unpardonable act, a scandalous abuse of brute force. These considerations become the more serious when we remember that this same government, far from facilitating our action on the frontier, has permitted conspiracy and the organization of bands of marauders. That these individuals have been conspiring against the established government, and that Winkar has entered Mexican territory at the head of a band organized in the United States, is public and notorious in Texas and in the whole world.

If the government of that country considers that it has sufficient power to prevent such aggressions, why did it not prevent that which we have just mentioned? If it recognizes the fact that it is impotent to comply with its international duties, why does it demand of Mexico what is beyond the power of either government?

The injustice with which President Hayes has proceeded marks an epoch of decay in the United States. A noble spirit of justice has always characterized the American people, and the fact that now, at the very time that Winkar's invasion is commented on by the newspapers of both countries, something is demanded of Mexico which the United States has not been able to do in this same case of Winkar, causes it to be feared that the conscience of the great country of Washington and Lincoln which, with so much eloquence was interpreted by Hamilton, Madison, Daniel Webster, and a hundred others, is becoming relaxed and lost, to the misfortune and shame of the great republic and American civilization.

We should, however, hope that the American people will not forget, on this occasion, the principles to which they owe their greatness, and will bear in mind that their first duty to themselves and to all others is to be just. The foregoing considerations surely prove that, on this occasion, the American Government has on its side neither reason nor right, and that its conduct is unworthy of the great people which it so illy represents. Our manner of proceeding should be different; if that government is distinguished by a forgetfulness of principles by which its actions should be shaped, ours should be the mark of dignity, of justice, and of the nobility of our race.

We have two classes of obligations in this question, some to the dignity of our country, others to the American people. We should comply with both with seriousness, with pleasure, as is the duty of citizens of a republic. At this moment we cannot do less than energetically condemn, for the honor of our country, the depredations committed by parties organized in our territory.

The duties of neighborhood oblige us to pursue to the death those evil-doers, and to contribute with the American authorities to protect the people of the United States, in person and property, who may be threatened by robbers from this side of the Bravo, (Rio Grande.) We can never employ sufficient energy in the fulfillment of the duty in order to demonstrate to those who have assisted the machinations of Winkar and his accomplices, that we are conscious of our international obligations.

Neither can we forget that the dignity of our country demands that we should protest against the unlawful order of President Hayes, preparing to employ all our power to resist by force the aggression of force. The government elevating to the height of civilization has placed itself in the position necessary to comply with both duties. It orders General Treviño to pursue the evil-doers, and at the same time he is commanded, in case of an invasion, to employ the arms of the republic against the invaders. In another part of this paper our readers may inform themselves of the communications to which we refer. They reveal the serene dignity with which our government is conducting itself, and which we do not doubt will draw to it, not the support of a party, but all Mexicans who hold in esteem their own names and the honor of their country. A tortuous, arbitrary, low, and ruinous policy is maintained toward us by the animosity and strength of the great and enlightened American people. If, as we do not expect, that nation should forget its principles and not condemn what has been done by its President, we will let them see that we bear them in mind, and, while we oppose force to force, we comply nobly and tranquilly with our international obligations. The orders of the minister of war amply fill these conditions, and we cannot do less than render a tribute to the President of the republic and to the ministry, of our sincere praise on account of the dignified attitude the government has assumed in the question which we have discussed in this article.

[Inclosure 2 in No. 11.]

[From the Federalista—Lerdist.]

The order communicated to General Ord, and which we published yesterday, involves a serious offense to the national dignity and to the sovereignty and independence of Mexico. This is unquestionable. It is, besides, a step violent and unmediated in form, on the part of the government that authorizes that offense against a friendly nation. According to the Constitution of the United States, the sanction of Congress is required in order to declare war; and the most elementary principles of international law are enough to convince one that an order which authorizes the armed invasion of a foreign territory is equivalent to a declaration of war, no matter what the pretext invoked.

The aspect which affairs have assumed cannot be considered in any other manner, since the text of the instructions sent to General Ord by the War Department of his country have been made known.

As was natural these events have deeply moved national feeling and awakened the love of country, which had become somewhat weakened by our civil dissensions; its manifestations have not been delayed on the part of the press, and they would have been more flattering to sincere patriotism, had not some newspapers mixed in these manifestations the name of President Sebastian Lerdo de Tejada, to which personage machinations contrary to the independence of Mexico are attributed. In his name and in that of all of his partisans, we protest against such unmerited charges. We do not need the language of patriotism to vindicate the immaculate patriotism of President Lerdo de Tejada, nor that of the worthy Mexicans who accompany him in a foreign country, because his name alone is a guarantee of his sacrifices and of his loyalty to our beloved country.

We think, and have well-founded hopes, that this conflict will terminate in a manner worthy of and honorable to two civilized nations; but if fate should reserve new trials for the national patriotism, our resolution will not be delayed. We would not be Diaz men; we would be Mexicans; and it would be sufficient to see a Mexican raise the national banner in front of the foreigner for us to rally around him in union with all those who form the Lerdist party. In the presence of danger to the country we would recognize no insignia but that of Mexico.

[Inclosure 3 in No. 11.]

[From the Pajaro Verde—Conservative or Catholic.]

THE NATIONAL PARTY.

The Mexican press, without distinction of party sympathies, presents to-day a spectacle at once grand, imposing, worthy in every way of praise, consideration, and respect. The question now refers to the integrity of the Mexican territory, respect to its flag, which the Government of the American Union, possessed of a pride unworthy of a free people, who profess the greatest respect for the treaties of amity and good fellowship between the two sister nations, so cowardly pretends to degrade.

A unanimous sentiment of indignation and lofty pride is to-day reflected by the whole of Mexican society on learning the text of the orders communicated by President Hayes to General Ord, military commander of the line of the Rio Grande.

Can a friendly republic which calls that of Mexico sister, at any time within the limits of international law, give in an official document permission for the violation of treaties, for the trampling upon of international rights?

None but the American Government, the government of that country of insatiable tradesmen whose motto is "time is money," could claim the *right of force* in order to legitimize the *force of right*. Said government believing itself the arbitrator of the destinies of the world, because the particular qualities of the soil have caused it to flourish in a region where it has never had a barrier, abusing its apparently exhaustless resources like the autocrat of the Russians, launches its insult at an independent and free nation because it considers it too weak to oppose its annexation intentions.

Is the government of the American people unaware that Mexico is the country that gave birth to the man who said "I may break, but never bend?" Are the people of the American Union ignorant of the fact that, in casting the gauntlet to the Republic of Mexico, they cast it to Latin America, and that at the proper time this republic will have on her side all the nations of the Old Continent of her tongue and race?

Mr. Hayes, the President by bribery, does not know that General Diaz had, at his orders, in the month of last November, sixty thousand men with which to overthrow President Lerdo de Tejada. How many could he collect to fight the foreigner as soon as the American invasion is a fact? At that time it was a civil war; all were Mexicans; public opinion was divided; but to-day things are different; the national honor, the integrity of the territory, the pride of race are affected, and each Mexican will be a soldier who will march to defend his home, his wife, his children. There is no sacrifice that will not be made, and the whole nation will go forth to the combat firm, compact, united as one man. Mexico has no navy; Mexico is divided; Mexico is poor and worn out; she is not prepared for war, can be alleged by the American Government, but we can reply, reverting to history, "That what Mexico never was prepared for is peace."

It is true that Mexico has no navy, but friendly nations of her blood, race, and language have. Mexico is poor; her treasury is exhausted, it is true, but it is also true that the Mexican is frugal, enduring, and, in order to fight, only needs what he has in great abundance—heart and fearlessness. Mexico cannot present great masses of men. This we confess; but, on the other hand, she can present innumerable guerrillas that will weaken and fatigue the invading army, however numerous it may be, causing it infinite losses. Lastly, Mexico has at her head General Porfirio Diaz, and he, animated by the purest sentiment of patriotism, can dispose at his will of the whole nation, in order to wash away the stain that may be made by the American people. This we have seen in his order to the general of the division of the Bravo, (Rio Grande,) "Repel by force the insult it is sought to inflict on Mexico by invading her territory." In these brief words the worthy general-president has condensed the aspirations of the Mexican people, comprehending, as he does, the elevated mission confided to him.

It only remains for us to revert to the title of this article: Mexico, divided, torn, attenuated by civil strife, offers herself to-day to General Diaz united, compact, strong, patriotic, determined to sustain her rights, opposing the unworthy intentions of the Government of the American Union. General Diaz has it in his power to raise, create, unify the national party, essentially Mexican, employing the powerful elements of which it is composed to give a severe lesson to the nation which in its satanic pride desires to make itself lord and master of the whole of America. Let General Diaz accept the patriotic sentiment of the Mexican people, who are noble in their pride and worthy in their misfortune. Let him endeavor to strengthen relations with all the nations of his race and tongue whose sympathies have been demonstrated for him on more than one occasion, with the assurance that his grateful country will erect altars to him in the hearts of its sons.

The present situation is one of national honor, and worthily have the Mexican people responded. In the presence of the common enemy all are brothers; the same senti

ment impels all—the defense of the flag, the integrity of the country. The purest sentiments animate to-day Mexican society, which is impatient to see what turn will be taken by the difficult and delicate question provoked by the American Government; but this does not prevent General Diaz from having left to him all the liberty of action required in such a serious case, all feeling sure that the national honor confided to his burning patriotism will emerge unscathed from the present conflict.

[Inclosure 4 in No. 11.]

[From the Monitor Republicano—Independent, Opposition.]

THE AMERICAN INVASION.

Public attention has been very much excited by the news of the projected American invasion brought by the last packets.

After our civil wars, after our social decay, after all our political misfortunes, we have before us, we have over our heads, the formidable threat of a nation that not without reason has been called the American colossus.

The press of the United States is at this moment discussing the propriety or impropriety of the policy President Hayes is pursuing with respect to a country weak, but jealous of its independence. The Mexican press will unanimously repel the unjust aggression which, with a political view, is falling over our country.

Every evil, every misfortune, appears to have been let loose against us; this is the moment to resort to that holy passion called patriotism, to avoid the catastrophe. Poor Mexico! It was not sufficient for you to see your fields laid waste and your sons decimated by civil strife; it was necessary that a nation that called itself a friend, should select the most painful crisis in order to discharge on you the weight of its strength.

We are very fearful that the negotiations that are to be commenced with the American generals, and the government of that country will not have a happy result. It is the general opinion that President Hayes needs to withdraw the public attention from the irregularities of his election, and to provoke a war that will permit him to maintain an army sufficiently respectable to meet every emergency.

The newspapers that support our cause inform us that even the superstition of the people has been worked on by making them believe that a locust having its wings in the form of a "w" proclaims or foretells war. The giant has, then, allowed the idea to flit across his brain of annihilating us under his powerful hand; and if he has not already done it, it perhaps is because the nineteenth century is destroying the doctrine of the right of conquest, and because they who attempt to destroy the nationality of a people are condemned at the bar of civilization.

We have wasted our political and social vitality; we have been destroying and annihilating ourselves, while our powerful neighbor has gone on prospering under the development of its just and liberal institutions, and the hour of peril has come, finding us more than ever exhausted of blood, and with only the vigor inspired in every Mexican by the love of his country, his nationality.

This is not the time for rancor and political odium; we should rally under our flag, and give each other a brotherly embrace. General Diaz has already answered the first menace of the neighboring nation, and in truth the note of our minister of war is dignified, energetic, and forms a strong contrast with the order in which General McCrary orders the invasion of our territory *if circumstances make it necessary*. "You will repel force by force in case the invasion takes place," is the order given to General Treviño, as it is, indeed, the duty of the Mexicans; in complying with it, it may be that they will not be triumphant, but they will have the satisfaction of sustaining the dignity of the country.

General Diaz in his notable communication to the chief of the division of the frontier, exhausts all the means of conciliation. He seeks an agreement as far as he can without sacrificing honor. He endeavors to remove the pretext in whose name this war is presented, and lastly, accepts the extreme situation, repelling by force of arms, if it should become necessary, the unjustifiable aggression which, not the whole American people, but a party predominant there, wishes to impose upon us. General Diaz has then complied with his duty. We who have not hesitated to attack his conduct when he has deviated from the law, take great pleasure in confessing that his first step in this very delicate question is worthy, and it is at the same time prudent.

The world which has again to turn its attention to a drama which is preparing between a powerful and a feeble nation—the world will see that the Mexican nation accepts the challenge without insolence, without arrogance, resigned to what may come, with a consciousness of its right and with faith in its good cause. If the north abusing its strength; if forgetting the treaties in force; if unmindful of the rules to which civ-

ilized nations are subjected by international law, should invade our territory, then Mexico will have to comply with the duty of dignity by opposing force to force, not permitting the violation of its rights before having fought—seeking more than victory, the satisfaction of its own decorum.

The peril is here, but in order to avert it warlike preparations are not sufficient; what is needed above all things is union among Mexicans. The last American invasion surprised us in the midst of civil discord. We should now avoid that scandal, which will not only debilitate us, but make our beautiful, our holy cause less sympathetic to the world.

Exactly at this moment, discord among the Mexicans is more than ever a fact. The Diaz party is completely divided, the Lerdist party does not abandon its intentions; the conservatives raise the banner of political hate; but we more than hope, we are certain the voice of patriotism will draw us together, forgetting everything in the presence of the wounded national dignity.

The government of General Diaz has now upon it the most terrible responsibility. It should more than ever be circumspect in internal affairs and external questions; it should more than ever endeavor to secure the union of the Mexicans, and this union, let us not forget, can only be secured by respect to the law.

[Inclosure 5 in No. 11.]

[From the Colonia Española.—Spanish.]

THE QUESTION BETWEEN MEXICO AND THE UNITED STATES.

* * * * *

If we have been sparing in words we would not be in acts, if the occasion should arrive. From sympathy and from conviction we would be on the side of Mexico.

The questions between Mexicans and Spaniards are family quarrels that can always be amicably terminated. The questions of race are more serious.

We are Spaniards; after Spaniards we are Latins. And before Spaniards and Latins we are the lovers of justice. Hence justice being on the side of Mexico we will be on every account, and on her side will be the majority of our countrymen.

* * * * *

Nothing is yet known with respect to the attitude that will be taken by the United States.

Be it what it may, the danger is not great, if the Mexicans lay aside their differences and unite as one man. Mexico can present on the battle-field two million men. They will not be tried soldiers, they will not have military instructions, but the Yankees cannot oppose an army practiced in great maneuvers.

They may present an army of guerrillas, that can be defeated by another of the same class, and the Mexicans have on their side familiarity with the ground, knowledge of the resources of the country, and the holiness of their cause. From the next number we will commence to publish a treatise on *guerrilla tactics*, which will be very useful to the people. If the press will copy our articles in order to disseminate their instructions the more speedily, they will do a service to their country. Even if hostilities should not immediately break out with the United States, they will come later. It is the destiny of Mexico and it is proper to be prepared.

[Inclosure 6 in No. 11.]

[From the Two Republics.—American.]

THE ORDER OF GENERAL ORD.

Understanding the friendly feelings of the American Government toward Mexico, we have viewed the order recently given to the American commander on the Rio Grande frontier in a very different light from the construction given to it by the press of this capital. Our colleagues evidently do not understand the spirit, object, or meaning in which it was given. Upon critical examination they will see that it is not positive or definite, but is provisional, guarded with many precautions and conditions. General Ord is instructed, first, to confer with the Mexican authorities as to the best manner to proceed in suppressing the raids upon American citizens and their property; secondly,

to invite said authorities to co-operate in the effort to put an end to these depredations; and, lastly, if the Mexican authorities fail to counsel and co-operate with him, and when the raiders are in the act of carrying off the property of American citizens, and being pursued by United States troops cross over into Mexico, the latter are ordered to pursue the robbers; not to commit a military invasion, to menace or disturb peaceful Mexican citizens, but to apprehend public robbers and recover stolen property. The latter alternative may never be resorted to, and this is highly probable if the Mexican authorities will, as we feel assured they will, counsel and co-operate with the American commander.

The course of the American Government has been prompted by the highest duty which it owes to its citizens after many years of forbearance, and has been directed in a spirit of delicacy and good-will toward Mexico.

[Inclosure 7 in No. 11.]

[From the Siglo XIX.—Independent.]

DUTIES TO THE COUNTRY.

If the orders given to General Ord by the government at Washington with respect to Mexico are highly serious, they have at least served to demonstrate that the sacred fire of patriotism remains intact in the valiant hearts of the sons of the country.

It is not an immediate war that threatens us. We have not yet entered the period of a real conflict; it is not right for us to cast off the hope that the difficulties that have arisen between the two republics may reach a peaceable, proper, and even cordial solution. The way of pacific and dignified negotiations is still open, and nevertheless manifestations in favor of our nationality and our independence are reproduced on all sides, and reveal noble and loyal sentiments.

Civil war has consumed us; society is continually in a bad condition; we live in constant revolution; brother has forgotten brother; friend has forgotten friend; the father the son; the son the father; the family is divided; the law is shipwrecked; justice hides her face. But in the midst of this painful confusion a voice is heard that says "The country is in danger," and immediately is perceived a general movement that seeks one common center of salvation, and that marks the line towards which all lines are uniformed.

Blessed virtue that of patriotism, which commences by suppressing fratricidal struggles, and ends by erecting altars to the glory which results from the sacrifice of the individual for the good of a whole people! The man is nothing, the corporation is nothing, the party is nothing, compared with the country. The country is everything. In the presence of its interests, which consist in the preservation of its existence, in the splendor of its honor, in the maintenance of its sovereignty, all, all other interests are small. The love of country, that is, perfect abnegation, the exercise of a virtue which by its nature is attractive to others, the instinct of individual and public liberty—the purpose of defending it exists, and exists full of vigor, among the Mexican people.

It is scarcely announced that their nationality may be attacked, and they renew their determination to sustain all and each one of the rights acquired at the cost of their heroic blood.

The people then comprehend their duties, because it is a duty, and a very sacred one, to rally without hesitation or condition of any kind to the call of the country whenever danger is apprehended as near or remote. The people know well their obligations; this is spoken by their words and their acts.

Under such circumstances the questions of interior policy are thrown aside, but not so with the duties of the government that directs the destinies of the country. These duties never cease to be correlative. The citizen should abandon every question that he may have initiated with the ruler, and the ruler should observe a conduct foreign to anything like party spirit. To save the country is the common object, and this could not be done if those who command and those who obey should not have the same convictions and the same desires.

By the salvation of the country, we understand not only that which is obtained by the use of arms, but also the good results of international negotiations. In these negotiations there are generally secret points, and others that do not demand any secrecy whatever, at least in those nations where liberty of the press exists as an established fact.

To complete our idea, we must add that the present government of the republic has had presented to it a new and brilliant opportunity to unite all political parties under one banner—the national banner.

Let it unfurl it with faith, and it will have the glory of having secured the rights

of Mexico abroad and extinguished interior odium, opening the road to the solid progress and the prosperity of Mexico.

This business has to advance by degrees, no matter what aspect it may take. The Mexican Government has resolved that an envoy shall go to Washington, of whose character we are ignorant, but it is probable that his will be an extraordinary mission. In conformity with a general principle of the rights of men that government should receive him, and perhaps thence will be brought about friendly explanations, and the affair be satisfactorily arranged. We will suppose that the envoy should not be received, that the order to General Ord should not be modified, and the case foreseen in article 21 of the treaty of February 2, 1848, between Mexico and the United States should unfortunately arise as there stated. Even then it is possible to appeal to arbitration if the treaty is to be respected. The question came up once before, in the same manner as at present. At that time it was suppressed, although not arranged. To-day something similar may take place, although the fact that our government is not recognized by that of the United States increases the difficulties.

Be this as it may, the press should aid the government by its action without going beyond the phases that the negotiations successively present; supporting its determinations when it considers them wise, and indicating with the moderation and delicacy which the circumstances demand the errors which, in its opinion, are committed by the public powers. Patriotism and good counsel, far from destroying each other, fraternize perfectly.

Finally, the government, in dealing with this serious question, has at its disposal powerful and favorable elements. Its responsibility is enormous, because if it despises or loses them, it may lose with them the liberty, independence, and sovereignty of the Mexican Republic. The nation hopes; may a happy issue crown that hope.

[Inclosure 8 in No. 11.]

[From the Monitor Constitutional.—Diaz administration.]

MEXICO AND THE UNITED STATES.

We think it is proper not to allow what is transpiring between the government of the neighboring republic and our country to pass unnoticed, as also the ideas that have been expressed by some distinguished persons abroad and a Lerdo legality paper of this capital.

We do not think it necessary to take into serious consideration the determination of the North American Government with regard to the invasion of our frontiers, because the gravity of the measure makes it understood that the American Government would have to meditate a great deal before carrying it out, the Government of Mexico not having given any notice that would justify to the world and to history the aggression of a strong and powerful nation against a feeble but civilized people.

Physical and moral strength are relative, the same among nations as among men; and here arises our confidence, in view of the force of our right as an independent and sovereign nation.

The government of the White House has dictated a measure that deeply affects our sovereignty and international rights; this is beyond the need of investigation, but we repeat, we do not think, we cannot think, that that measure will be carried out, without previous and long consideration on the part of the Government at Washington, and we believe, with reason, that the orders to General Ord will be withdrawn.

The supreme government of the nation has proceeded under the actual circumstances with the temperance and moderation which were to be expected, and there is reason to hope for a happy issue; but if on account of any emergency the desired termination of the negotiations should not be reached, the tried patriotism of the depository of the supreme power of the republic will be the best guarantee that the honor of Mexico will be saved.

In the mean while it is the duty of the Mexican press, while discussing this serious question, to act with the prudence which it knows how, and the temperance which the case requires.

No. 12.

Mr. Evarts to Mr. Foster.

No. 397.]

DEPARTMENT OF STATE,
Washington, June 22, 1877.

SIR: Referring to your separate dispatch of the 28th ultimo, advising me that the President of Mexico would dispatch to the Rio Grande a prudent general with a view to co-operate with General Ord in repressing outlawry, I now transmit for your information a copy of a letter of the 19th instant, from the Secretary of War and of the instructions issued by the General of the United States Army upon the subject, which accompanied it.

I am, &c.,

WM. M. EVARTS.

[Inclosure No. 12.]

*Mr. McCrary to Mr. Evarts.*WAR DEPARTMENT,
Washington City, June 19, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, transmitting a copy of a letter from the minister of the United States at Mexico, stating that the President of the Mexican Government will dispatch to the Rio Grande border a prudent general, with a view to co-operate with General Ord in repressing outlawry, and beg to inclose for your information a copy of instructions issued by the General of the Army on the subject.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., June 9, 1877.

General P. H. SHERIDAN,

Commanding Military Division of the Missouri, Chicago, Ill.:

The Secretary of War has received, through the State Department, a letter from Mr. Foster, our minister at the city of Mexico, dated May 23, 1877, in which he says the President of the Mexican republic is at last awakened to the importance of repressing outlawry on the Texas frontier; that he will send a prudent general to that frontier with an adequate force and instructions to co-operate cordially to that end with General Ord. The whole correspondence will come to you by mail; but meantime the Secretary of War wants you to instruct General Ord to meet this offer of reciprocity cordially, to meet or correspond with the Mexican general thus sent to the frontier, and not to be hasty in pursuit across the border, except in an aggravated case.

W. T. SHERMAN,
General.

No. 13.

Mr. Foster to Mr. Evarts.

No. 560.]

LEGATION OF THE UNITED STATES,
Mexico, June 28, 1877. (Received July 16.)

SIR: In my No. 552 I transmitted a copy of the order of the Mexican minister of war, in which the Government of the United States is arraigned for violating its treaties with Mexico, the rules of international

law, and even the practice of civilized nations, and for seeking to insult Mexico. This order being at once published in this city, has excited a deep feeling of hostility toward the United States, and especially toward the President and his Cabinet, as will be seen by the articles from the Mexican newspapers inclosed in my No. 554.

The universal impression created with the Mexican public has been, that the order to General Ord in reference to the Rio Grande frontier was utterly without cause or provocation; that it was inspired by the President of the United States and his Cabinet, partly for political considerations, in order to maintain party ascendancy at home, and partly inspired by filibusters and speculators, combined with the machinations of ex-President Lerdo; and that the object of the order to General Ord was to drive Mexico into a war, whereby the United States, taking advantage of the weakness and internal dissensions of this nation, could annex to its territory the northern Mexican States, and possibly establish a protectorate over the whole country. As already stated, I have protested to the minister of foreign affairs against the letter and spirit of the order of the minister of war, and deplored the unjust and unfounded prejudice and hostility which had been created in Mexico against the Government of the United States.

In view of my protest, I was astounded to read on the 22d instant in the *Diario Oficial*, the official journal published by the government under the direction of the ministry, the editorial statement, that "private advices received from New York and Washington inform us that a citizen of the United States and the ex-President of Mexico had commenced active labors in the neighboring republic to prevent a renewal of diplomatic relations between that government and our own; that they (the two persons referred to) * * * have succeeded in interesting in their undertaking a group of adventurers and speculators; and that these combined labors have resulted in the American War Department * * * making a hostile manifestation toward the Mexican republic, in the order communicated to the commander-in-chief of the Army." Then follow references to ex-President Lerdo's conduct, to which the *Diario* says it will devote further attention and correct any errors of its correspondents. I inclose a complete translation of the *Diario* article, which was at once reproduced in all the newspapers of the capital.

On the following day I called at the foreign office and expressed to Mr. Vallarta my surprise and deep regret to see in the official journal a statement that the Government of the United States had been induced by the persons named, through sinister motives, and by a group of adventurers and speculators, to issue the order to General Ord. I said that I had in a previous interview verbally protested against the unwarranted charges of the minister of war; and now, in view of the gross insult offered to the President of the United States and his Cabinet, by the official journal of the government, and in view of the misinterpretation of the order to General Ord, and of the misrepresentation of the position of the United States on the frontier question by both the Mexican Government and press, I felt it my duty to make a concise and exact statement of the true position of my government, and to ask that it be published without unnecessary delay in the official journal, whose columns had just been used to insult and misrepresent that government. I accordingly handed to Mr. Vallarta a memorandum for publication, of which I insert a copy below.

Mr. Vallarta replied that he had not read the article in the *Diario Oficial* to which I referred, but he was not aware that any such information as that stated had been received by the government. He said that he would examine the article and my memorandum, and if the govern-

ment found no serious inconvenience in the publication of the latter my request would be complied with.

My memorandum left with the minister is as follows :

Memorandum of points noticed by the minister of the United States in a conference at the Mexican foreign office.

I. The instruction given to General Ord is not the announcement of a new measure on the part of the Government of the United States.

Mr. Nelson, on the 4th of January, 1871, applied to the Executive for permission for the United States troops to cross the frontier, and April 12, 1871, he renewed the application, suggesting that the Mexican congress be solicited to grant said permission, both of which applications were declined.

The Secretary of State of the United States, Mr. Fish, on the 30th of April, 1875, submitted to Mr. Mariscal, for the consideration of his government, a reciprocal proposition to allow the troops of either government to cross the frontier of one or the other nation in close pursuit of raiders and outlaws, and capture them, stating to Mr. Mariscal at the same time that the public mind, not only in Texas, but throughout the United States, was such that the outrages committed from Mexican territory in Texas could no longer be tolerated. This was not accepted by the Mexican Government.

On the 26th of June, 1875, the undersigned renewed the request made by Mr. Nelson, and the minister of foreign affairs (Mr. Lafragua) replied that the executive had no authority to grant it, and that it would not be prudent to ask the consent of congress. On the 6th of July, 1875, the raids from Mexico continuing, the undersigned informed the minister of foreign affairs that unless the depredations ceased such a measure as that announced in the instruction to General Ord might be anticipated; adding, in the same connection, referring to the raids from Mexico, that protection to the citizens of Texas must be afforded; if not given by the Mexican Government, it would come from the United States. (U. S. Diplomatic Correspondence of 1875.)

On the 23d of April of the present year, in an interview had with Minister Vallarta, in reporting to him the murder of seventeen American citizens in Texas in the previous few months by Indians from Mexico, the undersigned informed him that the recommendation of Colonel Shafter, that the only way to put a stop to the raids was to follow up the delinquents into Mexico and attack them in their lairs, would have to be taken into serious consideration by the Government of the United States, if the Mexican authorities are unable or unwilling to check the depredations.

II. The depredations of the past four years have not been common to both sides of the frontier.

Under date of the 20th of May, 1875, the Secretary of State, Mr. Fish, stated that it was frivolous to seek to justify the hostile incursions into American territory on the ground of retaliation for similar excursions from the American side. He adds: "There have been none such, and proof of the contrary is challenged." On the 26th of June, 1875, the undersigned, by instruction from his government, gave to the Mexican minister of foreign affairs the above declaration contained in Mr. Fish's dispatch, and challenged him to furnish proof to the contrary. The minister promised to examine the data in his department and ask information of the governors of Tamaulipas and Coahuila, and to furnish the legation with the result of his investigation. Not a single fact or instance has as yet been furnished.

The investigations of the Mexican Border Commission relate to events which occurred previous to 1873.

III.—Mexico has taken no adequate or vigorous measure to prevent the depredations or punish the outlaws.

The undersigned has repeatedly called the attention of the Mexican Government to the long list of depredations and outrages which have been inflicted upon the people of Texas by raiding bands from Mexico, as the records of the Mexican foreign office show, and he has urged that an adequate federal force, under an able and prudent general of high rank, be sent to the frontier, to co-operate with the American troops in the suppression of the raids. These matters he frequently pressed upon the past administration; and immediately upon the accession of Mr. Vallarta to the department of foreign affairs, in December last, his attention was called to the condition of affairs on the frontier, urging early measures for its peace and order, assuring him that it was essential to the maintenance of cordial relations between the two countries, and renewing the suggestion that a federal force, under an experienced officer of high rank, be at once dispatched to the Rio Grande. Although this subject has been frequently brought to the attention of the minister in the past six months, up to the date of the receipt of the recent order of the Secretary of War of the United States, absolutely nothing has been done to repress the raids or co-operate with the American troops, so far as this legation had received information.

Notwithstanding the long list of these outrages, which the undersigned has brought to the attention of the Mexican Government in the past four years, which include murders, arson, plundering of government post-offices and custom-houses, robberies, and other outlawry, not a single punishment has resulted on the part of the Mexican authorities.

IV. Mexico has frequently acknowledged its inability to discharge its duty in regard to the preservation of peace on the Rio Grande frontier, giving as a reason its internal dissensions.

For eighteen months preceding the fall of the past administration, in reply to the remonstrances of the undersigned, the minister of foreign affairs pleaded, as an apology for the inefficiency and neglect of his government in repressing raids into the United States, that the whole force of the army was required elsewhere to resist the revolution of General Diaz. (See United States diplomatic correspondence, 1875.)

The reason given at various times to the undersigned by the present government, for its postponement of attention to the subject and the disposition of a federal force and prominent officer to preserve the peace on the Rio Grande and co-operate with the American troops in preventing raids, has been the disturbed state of the affairs of this republic consequent on the revolution and the necessity of first establishing its internal government.

If one of the rival claimants to the presidency succeeds in establishing a foothold on Mexican territory, and in organizing a counter-revolution, will not necessity again compel the government to devote all its energy and power to the suppression of the new revolution, and abandon the Mexican side of the Rio Grande to the raiders and outlaws?

V. The instructions to General Ord are misinterpreted by the Mexican Government.

They are not an unconditional order to cross the frontier into Mexican territory. General Ord is first instructed to do what the undersigned has been engaged in doing without effect for three years past, to call upon the Mexican authorities to co-operate for the suppression of the raids of armed and organized bodies of thieves and robbers. He is to give the authorities notice that the depredations upon the citizens of Texas can no longer be endured, and that if the Government of Mexico shall continue to neglect its duty in suppressing this lawlessness, that duty will devolve upon the Government of the United States. It is only after invitation to co-operate, and after Mexico has declined and continues to neglect its duty, that General Ord is granted discretion to follow the outlaws across the border, when in hot pursuit.

VI. In view of the foregoing facts, the declaration of the Mexican minister of war is unwarranted, wherein it is officially asserted that the instructions to General Ord are in contradiction with treaties between Mexico and the United States, with the rules of international law, and even with the practice of civilized nations.

Such charges in an official document of the government are sufficiently serious to excite apprehensions for the maintenance of cordial relations; but the undersigned has been profoundly surprised, and has deeply regretted, that it should have been thought necessary or proper to assert, in an important public order issued by direction of the Chief Executive, that in giving the instructions to General Ord the Government of the United States was seeking to insult Mexico. It might have been supposed that in the haste with which the order of the minister of war may have been written, there was no premeditated intent to so grossly question the motives which influenced the Government of the United States; but the intent of the Executive would seem to be deliberate, when, three days after the publication of the order, the Mexican Government has inserted in its official journal the statement that the order of the President of the United States, through the Secretary of War, was brought about by the efforts of a private citizen of the United States and Mr. Lerdo, through sinister motives and by a group of adventurers and speculators.

JOHN W. FOSTER.

(Copy left at the Mexican foreign office June 23, 1877.)

In leaving the memorandum with the minister, I said to him that in view of the order of the minister of war, of the publication in the *Diario Oficial* of the 21st instant, and of the manner in which the subject had been discussed in the Mexican press, I would feel compelled to leave a copy of the memorandum with my colleagues of the diplomatic corps, to enable them to furnish their respective governments with a correct statement of the position occupied by the Government of the United States; which I have done.

On the twenty-sixth instant Mr. Vallarta called on me at the legation, handed me a copy of the *Diario Oficial* of the 25th, containing the ex-

planation of the offensive article of the 21st, a translation of which explanation I inclose; and he informed me that my request for the publication in the *Diario Oficial* of my memorandum had been considered in a cabinet meeting; that the explanation in the *Diario Oficial* of the 25th had been ordered, which, it was supposed, would be satisfactory to me; that the cabinet deprecated a discussion of the question in the press, but if I still insisted upon the publication of my memorandum, it would be made, but the minister said it would have to be accompanied by a reply from him.

I answered Mr. Vallarta that the explanation of the *Diario Oficial* of the 25th was only partially satisfactory, as it was disingenuous in seeking to base its first article upon the statements of American newspapers as well as the private information of the government, when in fact the first article only alluded to the latter; that the question of doubt as suggested in the first article was not so much as to the alleged evil influence which had controlled the Government of the United States, but rather as to Mr. Lerdo's complicity therein; that the first article had accomplished the desired effect in being at once reproduced in all the Mexican newspapers with bitter comments against my government, while the explanation would appear in very few of them, (as has really been the case;) that I could not well discriminate between the editor of the *Diario* and the government, as it was the official journal, used by the ministers as the medium of expressing their views editorially, and the editor was an officer of the government, acting under the direction of the executive; that the controversy could not be intensified by the publication of my memorandum, as the press could not possibly assail the United States more bitterly than it had already done; that a correct statement of the position of my government would be beneficial to both countries, and that I did not intend to make rejoinder to any reply he might see proper to make to the memorandum.

Mr. Vallarta, on leaving, said that my memorandum would appear the next day in the *Diario Oficial*, with his reply.

The day following Mr. Vallarta's visit, Mr. Romero, minister of the treasury, (former minister to Washington,) called upon me (yesterday) and said that the President was very much embarrassed by my request, and that he disliked to have any official discussion in the press; that the cabinet had again considered the subject and had instructed him to suggest to me that, in order to avoid an official character, the substance of my memorandum be published in the *Diario Oficial* as the position to be held by the Government of the United States, omitting to state the source whence it came, and without any reply being made in the *Diario*.

I answered Mr. Romero, that I was very willing to yield to the indication of the President; and Mr. Romero stated that he would re-edit the memorandum, and would endeavor to have it appear in the *Diario* of that afternoon.

The publication, however, was not made; and Mr. Romero called again to-day to explain the failure, saying that the cabinet, in reconsidering the subject, were disinclined to make the publication in the form indicated by him yesterday. He said the President had requested him to call on me and express his desire that I would withdraw my request, as the publication in the *Diario* might seriously embarrass his government.

I at once replied that, coming in the friendly manner that it did, I could do nothing less than yield to the President's desire, which I

cheerfully did; although I was convinced its publication would be beneficial to both countries in dispelling prejudices and creating a better state of feeling.

I am, &c.,

JOHN W. FOSTER.

[Inclosure 1 in No. 13.]

[From the Diario Oficial, June 21, 1877—official government journal.]

REPORTS.

Private advices received from New York and Washington inform us that active labors have been commenced in the neighboring republic by Mr. Plumb, a representative of railway companies, and Mr. Lerdo de Tejada, to prevent the renewal of diplomatic relations between that government and our own; that, by promises of grants of lands to railway-constructing companies, they have succeeded in interesting in their undertaking a group of adventurers and speculators; and that these combined labors have resulted in the American War Department—taking advantage of the difficulties which both governments have always encountered in suppressing cattle-stealing on the banks of the Bravo, (Rio Grande,) on account of the extent and unpopulated condition of the country—making a hostile manifestation toward the Mexican Republic, in the order communicated to the Commander-in-Chief of the Army. As a proof of said manipulations on the part of Mr. Lerdo de Tejada, the circumstance is added that this gentleman has kept silent in regard to the patriotic protest of Mr. Iglesias and the other Mexicans who signed it with him, and that he will probably continue in silence.

In case these reports shall prove true, we would not be able to find words with which to characterize such a proceeding. Our laws classified as treason to the country the act of bringing to our territory a European army, and supporting its military operations and political intentions, and we do not think any other name should be given to the act of promoting an armed conflict with the neighboring nation, giving a pretext for the invasion of the republic.

Perhaps Mr. Lerdo has gone, without intending it, farther than he proposed, not having been able to foresee that his labors in a certain direction would give the result which we now see; but, at all events, he would be liable to the serious responsibility of having provoked his country to a conflict which may bring upon it very grave consequences.

Awaiting what may be brought us by future mails and what coming events may indicate, we abstain from publishing the reports which we have received, and of which we only give an idea in order that the public may judge.

Later we will be in a position to point out with exactness the true origin of the difficulties that have arisen on the northern border, without exposing ourselves to be unjust, attributing to persons acts for which they are perhaps not responsible.

[Inclosure 2 in No. 13.]

[From the Diario Oficial of June 25, 1877—official government journal.]

OUR THURSDAY'S ARTICLE.

On giving our readers an account of the private information we received from New York and Washington, and of what has been said by the American newspapers on the same subject, we were careful to state that we did not hastily give credit to those rumors.

We commenced a sentence by saying: "If these reports should prove true," &c. This indicates that we did not accept as facts the news that had been communicated to us.

Farther on we said: "Later, we will be in a position to point out with exactness the true origin of the difficulties that have arisen on the northern border," &c. It could not be more clearly stated that we did not accept as the origin of those difficulties what had been stated as such by the private information in question and various newspapers in the United States; but inasmuch as a newspaper of this capital has presented as ours; the ideas which we did not accept, we are under the necessity of insisting on this point.

We by no means think that Messrs. Lerdo and Plumb have had a decisive influence

in the determinations of the Government of the United States, no matter what efforts they may have made. The traditional policy of that government does not authorize such a supposition, which has been very far from our intention. It has not been long since we published an official declaration of the President of the United States, in which he explicitly condemned filibustering expeditions, and referred to the penal laws of the American Union against those offenses, and then we expressed our conviction that those who are plotting against our peace would not find any official aid in the neighboring republic. This is our opinion, and for this reason we entertain no apprehensions on account of the efforts of whatever character which may be commenced in the United States to organize expeditions against Mexico.

The newspaper to which we referred before, said that our article of last Thursday had been inspired by the minister of foreign affairs. We only comply with a duty in manifesting that such a supposition is wholly without foundation. We clearly referred in said article to our person, and there is nothing in it which has an official origin. If this had not been the case, we would not have spoken of our own opinions, and would have given them as those of the executive.

No. 14.

Mr. Foster to Mr. Evarts.

No. 570.]

LEGATION OF THE UNITED STATES,
Mexico, July 7, 1877. (Received July 20.)

SIR: Referring to your dispatch, No. 397, of the 22d ultimo, in which you inclose to me a copy of a letter from the Secretary of War with the instructions issued by the General of the United States Army to General Ord to co-operate with the Mexican general on the Rio Grande frontier, I have to report that I to-day left a copy of said inclosure with the Mexican minister of foreign affairs.

I am, &c.,

JOHN W. FOSTER.

NOTE.—The answer which the minister has made is contained in the memorandum transmitted with my No. 572, of this date.

No. 15.

Mr. Foster to Mr. Evarts.

[Telegram.]

UNITED STATES LEGATION,
Mexico, July 9, 1877.

Diaz disavows completely the Mexican violation of American territory, and promises prompt investigation, reparation, and punishment; but also expects modification of instructions to Ord. Details by mail.

JOHN W. FOSTER.

Forwarded by telegraph from New Orleans by Postmaster Parker, July 17, 1877.

No. 16.

Mr. Foster to Mr. Evarts.

No. 572.]

LEGATION OF THE UNITED STATES,
Mexico, July 9, 1877. (Received July 20.)

SIR: In conformity with the instructions contained in your dispatch No. 395, of the 21st ultimo, I called on the Mexican foreign office, and informed Mr. Vallarta, the minister of foreign affairs of General Diaz's government, of the violation of the territory of the United States, as related in the inclosures of the Secretary of War, and made a formal demand on him for a disavowal of the act, with reparation for its consequences and the punishment of its perpetrators.

Mr. Vallarta answered that so far as he was informed his government had received no intelligence of the event, but that he would bring the matter immediately to the attention of the President, and would advise me at as early a time as possible of the President's decision of the subject.

In view of the minister's statement that he had received no information as to the affair, I furnished him with a copy of your dispatch and its inclosures from the Secretary of War, containing the reports of our military officers as to the occurrence.

This forenoon Mr. Vallarta sent me a personal note, asking me, if convenient, to call at the foreign office at 12½ o'clock to-day, in order that he might communicate to me the decision of the government. At that hour I presented myself at the foreign office, and Mr. Vallarta handed me a written memorandum, which he asked that I might consider as the verbal answer made to my demand on the 7th instant, and which he had reduced to writing; stating at the same time that his government completely disavowed the violation of American territory; that it had directed a prompt investigation, in order that full reparation might be made and proper punishment inflicted upon the perpetrators, of which investigation he would advise me as soon as it was received by his government.

In receiving the memorandum, I replied that I would at once transmit a copy thereof to my government for its information. The copy is herewith inclosed.

In examining the memorandum, I find that it also refers to the instructions telegraphed to General Ord, of which you inclosed me a copy in your No. 397, which I communicated to Mr. Vallarta on the 7th instant. It will be seen that while he expresses the gratification of General Diaz at what is termed a modification of the order of June 1, he thinks that that restriction is not sufficient to preserve unharmed the autonomy of Mexico, and that he hopes the order may be finally so modified as to no longer wound the dignity of Mexico. As the latter subject was not verbally referred to by Mr. Vallarta in our interview, I have not thought it necessary to make any written or other reply thereto, especially as in previous interviews I had fully discussed the order of June 1, and had no disposition to anticipate your views upon the further modification suggested in Mr. Vallarta's memorandum.

I have respectfully to request specific information and instructions in reference to the reparation which it is expected Mexico will make for the consequences of this violation of territory.

I am, sir, &c.,

JOHN W. FOSTER.

[Inclosure in No. 16.—Translation.]

Memorandum of the conference held at this ministry between the secretary of relations and his excellency the minister of the United States.

The minister of relations stated to Mr. Foster that he had made known to the President of the republic the complaints which, in the name of his government, Mr. Foster had thought proper to make to him orally in the conference held in the evening of day before yesterday at this ministry, and read to him literally the copy of the dispatch which the Department of State addressed to Mr. Foster under date of the 21st of June last; in which dispatch, referring to the inclosures it contained, it is said that a party of Mexican troops crossed the boundary of the two republics, and within territory of the United States put to rout another Mexican force which it was pursuing, thereby violating the territory and infringing the law of nations; wherefore Mr. Foster is instructed to make a formal representation to the Government of Mexico, the Government of the United States confidently expecting that that act will be promptly disapproved, by reparation for its consequences and by the punishment of the persons engaged in it.

The President has ordered the secretary who is speaking to say to Mr. Foster that he has not yet received official information from Mexican authorities in regard to the particulars of the event which is the subject of this note, but that he has already directed, through the office of the secretary of war, that the proper parties be urgently requested to make at once due judicial investigation, in order that the parties who prove to be guilty may be punished. If unhappily any superior or inferior officer of Mexico has ordered an invasion of the territory of the United States, or it should appear that in any other way such invasion has been made in violation of the law of nations, the President assures him, through the undersigned, that he will order the reparation to be made for this act which is in justice due.

The Department of State does justice to the Government of Mexico in not believing that that invasion had been effected by orders emanating from this capital. So far has the Mexican Government been from ordering it, that, on the contrary, it has positively instructed General Treviño, in an official letter of the 18th of June last, which intrusted to him the military command of the line of the Bravo, that, "in obedience to article 72, section 16, of the federal constitution, he should not consent to the troops of the United States entering into our territory, and that, in respect to the sovereignty of that republic, he should prevent the Mexicans from treading on foreign territory." The government, which knows that international law prohibits the entrance of foreign troops into foreign territory without the consent of its sovereign, and which has been proclaiming and defending the principle, cannot disregard it when in its turn the Department of State invokes it.

Until the minister of relations can inform Mr. Foster of the new measures which the President may adopt in virtue of the official advices which he is awaiting and of the result of those which he has already adopted, the same minister has instructions to state to him that the Mexican Government accepts, acknowledges, and will cause to be fulfilled on its part the principles which the Hon. Mr. Evarts invokes in the dispatch referred to, and that it will adjust its conduct to them, by looking on the passage of forces into foreign territory as an unjustifiable invasion, that is condemned by international law. This conformity of opinions between the two governments will prevent any cause of complaint between them arising out of the disagreeable occurrence which is under discussion.

The minister of relations continued to say that he had also acquainted the President of the republic with the contents of the copy of the dispatch of the War Department of the United States of the 19th of June last, which Mr. Foster was pleased to deliver to him at the same conference of day before yesterday; which dispatch relates to the new instructions that the General-in-Chief of the Army of that republic communicates to General Sheridan on account of the reports which Mr. Foster sent to the Department of State on the 28th of May previous, in regard to the measures which the Government of Mexico might take by sending a general of the army to the frontier, in order that, acting in conjunction with the American officer, he might co-operate in the re-establishment of security in the frontier districts.

The minister said that the President had seen with satisfaction that the Government of the United States had modified the original order sent to General Ord on the 1st of June last, by withdrawing from him the discretionary authority to invade the territory of Mexico in pursuit of the malefactors, seeing that in his new instructions he is ordered "to not hastily cross the frontier-line, but only under a grave emergency." The President considers this restriction of that order as an acknowledgment of the rights of the republic, and, judging under this aspect, he duly estimates it. But he believes at the same time that that modification, however important it may be, does not suffice to leave unharmed the autonomy of Mexico. The invasion by foreign troops of the territory of a friendly nation, made without the consent, and even

against the will, of its government, is always a violation of international law and an offense to the sovereign of the invaded territory. In the instructions newly communicated to General Ord, notwithstanding their limitations, is continued in force the order to invade Mexico "in a grave emergency," and the government of the republic thinks that that exception is not authorized by the law of nations.

The same minister continued to say that the President confides so far in the equity of the Government of the United States as to hope that the orders to invade the republic will be withdrawn completely. The principles which the Department of State maintains on the subject of the invasion of foreign territories, and in which the Mexican Government entirely concurs, the measures already adopted for the satisfactory settlement of the difficulties on the frontier, and the spirit of conciliation which pervades the late instructions of the General-in-Chief of the Army of the United States in regard to this matter, are alike reasons for the government of the republic to hope that the order referred to will be finally so modified as not to wound the dignity of Mexico.

Mexico, July 9, 1877.

J. L. VALLARTA.

No. 17.

Mr. Foster to Mr. Evarts.

No. 580.]

LEGATION OF THE UNITED STATES,
Mexico, July 24, 1877. (Received August 10.)

SIR: In my No. 560, of the 28th ultimo, I gave an account of the excitement occasioned in this city by the publication of the instructions of June 1, to General Ord; of the misrepresentations of the spirit and intentions of the Government of the United States; of a memorandum which I had left at the foreign office, with the request that it be published; and of the circumstances under which I was induced to withdraw my request for its publication.

On the 20th instant, in a call which the minister of foreign affairs made at the legation, he handed me a memorandum which constituted a reply to my memorandum of the 23d ultimo, and which he asked might be considered as the substances of his replies to me in our conference last month on the subjects referred to therein. I inclose a translation of the minister's memorandum.

As the main purpose of my memorandum had been to correct, by prompt publication, the unjust arraignment of the President of the United States and his cabinet, made in the official organ of the Mexican Government, which purpose was not accomplished, and in view of the fact that the subjects discussed therein were likely soon to become a matter of treaty negotiation, I regarded further discussion as undesirable and inopportune. I have, accordingly, addressed Mr. Vallarta an unofficial note in that sense, of which I inclose herewith a copy.

I am, &c.,

JOHN W. FOSTER.

[Inclosure 1 in No. 17.—Translation.]

Memorandum of the replies given by the minister of foreign affairs to the points made by his excellency the minister plenipotentiary of the United States in the conferences had between them in this department.

I. It is true that the Government of the United States has proposed on several occasions that the troops of both republics should reciprocally pass the frontiers in pursuit of savage Indians or marauders; but it is also true that that of Mexico has replied on all occasions that it is not within its power to grant such permission to foreign troops,

and when it has been sought to obtain it of the Congress of the Union it has been seen that such a measure would not be approved. This was stated by the chief clerk of the department to the secretary of the American legation in the conference which they held the 14th of April, 1871, and this was also stated by the minister of foreign affairs to Mr. Nelson in his note of the 20th of the same month.

In the conference held in Washington, between the minister plenipotentiary of Mexico and the Hon. Secretary of State, on the 30th of April, 1875, the convenience of that measure was again insisted upon on the part of the Government of the United States. The Mexican minister doubted the propriety of the measure, fearing the abuses that would be committed, notwithstanding the good faith of the two governments, and also manifesting that he was ignorant as to whether Congress would consent to the entrance of foreign troops into the national territory. In the discussion which took place on this point no agreement whatever was arrived at, and the Hon. Secretary of State terminated the conference by saying that his object had been to call the attention of the government of the republic to the importance of the frontier affairs, to the end that the most adequate remedies might be applied to the evils suffered, and concluded by expressing his desire that the Mexican Government should propose those which it might consider efficacious.

If, as stated by Mr. Foster, referring to his dispatch of the 7th of July, 1875, (Diplomatic Correspondence of the United States, paragraph 2, page 949,) he informed Mr. Lafragua that "unless those depredations ceased such a measure as that announced in the instructions to General Ord might be anticipated," to which intimation, as Mr. Foster informed his government in that dispatch, the minister of foreign affairs did not give a direct answer, this cannot signify, and does not signify, that the Mexican Government has tolerated at any time or does tolerate the violation of the national territory by the entrance into it against its will, or without its consent, of foreign troops. This is not the first time that the government has ordered that force to be repelled by force in the extreme case of an invasion. When an American officer in November, 1875, threatened to enter Mexican territory in pursuit of some criminals, and subsequently carried out his threat, General Fuero, in accordance with instructions from his government, forthwith wrote on the 20th of that month to General Potter, commander of Brownsville, stating to him that that invasion was contrary to the treaties between Mexico and the United States, and was condemned by the law of nations, and notified him that if he did not order the American troops to retire from the national territory, besides protesting against that aggression, he would be under the necessity of repelling force by force. General Potter replied that although he had repeated his orders on the 19th, instructing the American officers particularly not to make an aggressive movement against Mexico, those orders had not been obeyed; but immediately on learning what had happened, he had again repeated them, and the American troops retired. He concluded by saying to General Fuero: "Hence you see, general, that the invasion of Mexican territory and the violation of the laws to which you allude, were committed contrary to the orders that the officers of the troops of the United States had received."

The undersigned has manifested to Mr. Foster in different conferences had since the month of January of the present year, that the government has been and is disposed, because such is its duty, to give protection to the Mexican frontier, pursuing Indians and marauders, and avoiding motives of complaint by or conflicts with the neighboring republic; but that the tranquillity of these frontier regions cannot be the result of an isolated measure, but the effect of a combination of measures that strike at the root of the elements of evil that exist there; that the passage of troops, although reciprocal and agreed to by both governments, (and if this should not be the case, such passage would constitute an outrage which would aggravate the situation,) could not of itself be the remedy for such old evils, but on the contrary, taking into consideration the condition of the frontier, as has been thought by former administrations, might even cause greater and more serious complications; that the present government, at a proper and convenient time, would propose the measures which, in its judgment, would serve to re-establish security and order in that region, hearing those the Government of the United States might suggest, and devoting to this important question all the attention which it demands.

II. If the United States complain with reason of the depredations which have been committed on the frontier, Mexico has the same or greater right to make the same complaints, because the evils which cause them are common to both countries. This is a truth which the Hon. Secretary of State has explicitly acknowledged. In the conference which he had with the plenipotentiary of Mexico, on the 30th of April, 1875, he manifested to this official "that the troubles of the frontier are exaggerated in Texas, either in the interest of those who wish to present claims or those who desire that more forces may be stationed on the banks of the river for the purpose of making contracts for the supplies for the troops," &c., &c., and adding, "it is undeniable that such disorders exist, which may be committed by robbers who may not be citizens of either country." All this was stated by this department to the American legation in

a note of the 30th of December, 1875, attempting to prove thereby that the charges made against Mexico are unjustifiable, when it is sought to show that the robbers who are the authors of all the depredations are on this side of the Bravo, and on the other side are only their victims.

In replying to that note on the 9th of February, 1876, Mr. Foster manifested that, not having a complete report of Mr. Fish's conversation with Mr. Mariscal, he was unable to estimate its application to the question, and referring to his different notes of the year 1875, in order to sustain his charges against Mexico, concluded, nevertheless, by acknowledging the possibility that all the robbers are not Mexicans, but insisted that they proceed from Mexican territory, where they find refuge after committing their crimes.

The northern frontier investigating commission not only proved that many of the charges made against the Mexicans by the inhabitants of Texas were wholly unfounded, but detailed the robberies, acts of violence, and crimes which had been committed on the Mexican side by Americans, who also enjoyed the most complete impunity; but inasmuch as Mr. Foster only wishes to speak of acts subsequent to the report of that commission, the undersigned, in order not to occupy himself with the enumeration of isolated events, will confine himself to calling attention to one single fact which, on account of its importance and transcendence, not only justifies the complaints of Mexico, but which is, at the same time, one of the principal causes of the depredations and robberies charged to the republic.

Some of the authorities of Coahuila stated to the government in May, 1876, that the crime of cattle-stealing had assumed alarming proportions in those regions, because in American territory there existed organized companies for the cheap purchase of stolen cattle, and that they stimulated the robbery of animals on a large scale; that this added to the difficulty of the apprehension of the thieves, who, by simply crossing the Bravo, placed themselves beyond the reach of their pursuers, and kept the inhabitants of that section in great alarm. If information of this report, and some others which go to show that the depredations have at least been common to both frontiers, has not been given to the legation of the United States, it is due to the fact that the Government of Mexico has thought proper to communicate directly with its minister in Washington, for the purpose of procuring the accord of the Government of the United States for the remedy of these common evils.

The Government of Mexico can give the most conclusive reply to this class of charges, invoking the most authentic, the most respectable, and impartial testimony that can exist on this subject, that of Sir Edward Thornton, arbitrator in the Mixed Claims Commission, appointed by the two governments. These same charges were carried by an American citizen before this tribunal, indemnification being asked of Mexico, and the arbitrator expressed himself in regard to the claim, No. 647 of William C. Dickens, in these terms:

"With respect to the case No. 647, of William C. Dickens against Mexico, it is shown, beyond doubt, in the judgment of the arbitrator, that during the last few years robberies of cattle have been committed in the territory of Texas which joins Mexico, and that those cattle have been carried to the other side of the Rio Grande, but the proof that the thieves have always been Mexican citizens and soldiers, that the bands have been organized on Mexican soil, with the knowledge of the authorities of the republic, and that the victims of those robberies have been denied reparation by those authorities when they have demanded certain lots of cattle, after having proven their property, appears to him to be wholly inadequate. * * * * * The claimant truly says that these bands of thieves can be collected quickly, and make their incursions when the United States troops are at a distance from the point of attack. But if this makes it difficult for the authorities of the United States to prevent such incursions, it is the case with more reason with regard to the Mexican authorities, as, if to collect a band to cross the river is the work of an hour, to collect a considerable drove of cattle and drive them to the Mexican territory requires a much longer time, and gives greater opportunities to the authorities of the United States to attack the robbers and recover the cattle." * * * * *

"Hence it does not appear as a general rule that there has been a greater want of vigilance on the part of the Mexican authorities than on the part of the authorities of the State and those of the United States.

"The arbitrator does not find in this case sufficient evidence to make the Government of Mexico responsible for the losses suffered by the claimant, and he consequently decides that this claim be dismissed."

What the arbitrator says in his decision is the truth that Mexico has been sustaining in this question, a truth that, being examined, no longer admits of doubt.

III. The Government of Mexico has dictated the measures which have been within its power to suppress the depredations on the frontier, and remedy the evils suffered from them on both sides. In the long and troublesome Indian question, the conduct of the government was such that it received the eulogies of the Hon. Mr. Fish and of the legation of the United States. (Mr. Foster's note to Mr. Lafragua of the 1st of Decem-

ber, 1873.) And in relation to robberies committed by outlaws, not a single case has been complained of to the government, in which it has not dictated its measures for the apprehension and chastisement of the criminals. Different notes that could be cited in testimony of this truth, and many orders issued by the departments of foreign affairs, war, government, and justice, establish the fact that the government has never been indifferent to the sufferings and painful condition of the inhabitants of the frontier.

If notwithstanding all this, the evil still exists, it does not prove the want of a disposition on the part of the government to remedy it. That evil is the result of many causes which have co-operated to develop it; it is sustained by unlawful interests which nourish it, and the circumstances of locality favor it. The strength, the vigor of that evil is such that it has not only resisted the action of the Mexican Government, which combats it, but also that of the American Government, which is equally desirous to destroy it. And as the accusations made against the latter because it has not extirpated it at one stroke and in a single day are not just, as nobody can say with reason that the American Government is wanting in will or is powerless, because its vigorous action does not penetrate extensive desert regions, so Mexico cannot be held guilty because its efforts to establish security on the frontier have not met with the success desired. Although the sending of a general of rank to that region, who, with the necessary federal force, might pursue the robbers in combination with the American officers, is a proper measure, it is not the only one, nor the most important, that should be taken to give security to the frontier. With respect to it, however, the Government has been and is in such conformity that it has already invested General Treviño with the military command of the Bravo, (Rio Grande.)

It is not strange that the legation of the United States has been ignorant, in the majority of cases, of the orders which, through the respective departments, have been issued by the government for the pursuit, apprehension, and chastisement of the criminals, and the recommendations made to the tribunals for the prompt administration of justice, because, as orders wholly pertaining to the interior administration of the republic, in most instances they have not been made known to the legation. Therefore the charge made by Mr. Foster against the government that, according to his information, absolutely nothing has been done to repress the invasions, has been proven to be destitute of foundation.

IV. The undersigned has manifested to Mr. Foster on several occasions that, in order to establish order and security on the frontier, the stationing of troops there by the two governments is not sufficient; more permanent measures are needed, vigorous measures that will prevent the incentive to robbery and the profit of cattle-stealing from defying the vigilance of the most effective police that can be established there. And hence, if the present government has not proposed before this those measures which in its judgment would give the desired results, it has been, as Mr. Foster has been informed by the undersigned, on account of the anomalous relations that have existed up to the present between the two governments. Notwithstanding this, that of Mexico is so desirous of giving its protection to the inhabitants of the frontier, and to avoid every motive of complaint on the part of the neighboring republic, that, on appointing its new minister plenipotentiary to Washington, it has given him the fullest power and most ample instructions to discuss and arrange with the Government of the United States these affairs in a manner satisfactory to both republics.

When the undersigned told Mr. Foster that the government could not devote its attention to these affairs until after it should be able to re-establish peace, which had been disturbed by the last revolution, General Revueltas was in the very act of throwing off all obedience to the authorities, and while a portion of the frontier still withheld its allegiance from the government established in this capital. To say this is to prove the insurmountable obstacles which prevented the government from giving its attention to those affairs in the first four months of its existence. Afterward, and as soon as it was possible, the government dictated several orders for the maintenance of security on the frontier, orders so efficacious, that, as is notorious among the inhabitants of those regions, and as is recognized by the not impartial press of Texas, the depredations have diminished to such an extent that the inhabitants of the frontier enjoy a relative security, such as had not been enjoyed for many years previously.

Mr. Foster fears that if one of the rivals to the Presidency should succeed in organizing a counter-revolution, the government would abandon the Mexican side of the Rio Grande to thieves and marauders. Fortunately that fear is unfounded; the Mexican people sustain the present government, and will not accept new revolutions at any price. Besides, the possibility of that contingency cannot be invoked as a reason to suppose that the troubles of the frontier will not receive a remedy, above all when no nation can be assured against that contingency.

The breaking out of a civil war in Mexico would be a calamity very much to be regretted, as would be the case if a revolution should again agitate the United States. In such an unfortunate emergency, it would not be strange if Mexico should not be able to attend to the Rio Grande frontier, inasmuch as during the Confederate war the

United States were obliged to do the same, the consequences of which were very serious for Mexico. The invasion of savage Indians which was then suffered by the republic, on account of the Indian reserves having been abandoned, (without referring to other evils which were the result of that war,) was a great and real calamity to Mexico.

V. The Government of Mexico has understood the significance and appreciated the consequences of the instructions given to General Ord. The circumstance of the authority given that officer to enter Mexican territory being conditional does not lessen its offensiveness to Mexico, inasmuch as the fulfillment of that condition is left to the execution of that officer. Not even under those conditions can the government of the republic consent to the invasion of the national territory and permit a foreign officer, to whom neither the law of the country nor that of nations gives any authority whatever, to come and exercise acts of jurisdiction according to his discretion. In order to understand that that order, although conditional, is an *offense* to Mexico, it is only necessary to examine its literal expression; the Government of the United States itself has understood thus: "While the President," it says, "is anxious to avoid giving *offense* to Mexico, he is nevertheless convinced that the invasion * * * should be no longer endured." The words leave no doubt on this point.

Mexico has another reason for complaint on account of that order. Lieutenant-Colonel Shafter, to whom it refers, is the same officer who, on the 3d of last April, invaded Mexican territory, taking possession of Piedras Negras, and not in pursuit of outlaws, but to take by force from the Mexican authorities two Mexican criminals, guilty of crimes committed in Mexican territory. By orders from this department, communicated on the 16th of April to the minister of Mexico in Washington, on the 28th of the same month the latter protested against that invasion, asking the Government of the United States to punish the culprits and to give proper guarantees for the future. And although the honorable Secretary of State replied on the 1st of May that he had asked for information on the subject before taking steps, as appears from documents in this department, on the 1st of the following June the order in question was issued by the War Department. To revert to these circumstances is sufficient to understand why, in consequence of them, the Government of Mexico has considered such an order as still more offensive to the republic.

VI. The order issued by the minister of war of the national government on the 18th of this month is based on the law of nations, and was the fulfillment of an inexorable duty on the part of the government. To prove that the instructions given to General Ord violate the treaties between Mexico and the United States is as easy as it is to point out the articles infringed. They are: Article 34, fraction 3, of the treaty of the 1st of December, 1832; article 21 of the treaty of the 30th of May, 1848, and article 7 of the treaty of the 31st of May, 1854. The Government of the United States, without observing the proceedings marked by those articles, and deciding of itself that Mexico has failed to comply with its international duties, issued the order of the 1st of June authorizing acts of aggression against Mexico. This is prohibited by the articles cited.

It is a maxim accepted by publicists that a state cannot send its troops into a foreign territory without the consent of the sovereign of that territory. The independence and sovereignty of nations would be at the mercy of the most powerful or the most audacious, if this maxim should even be questioned. And supported on bases even more solid, it is recognized that these troops or their officers cannot, even having permission to enter a territory, exercise any act of jurisdiction in foreign territory; that they cannot punish criminals nor recover stolen property without the intervention of the national authorities. These maxims, which are held as undeniable precepts of international law, are in open conflict with the order of the 1st of June.

These brief but decisive considerations are the basis on which is founded the judgment which the Mexican government has passed upon the order, reputing it offensive to Mexico, contrary to the treaties, to international law, and the practices of civilized nations. In thus acting, the government of Mexico has confined itself to defending itself against an unjust aggression, with the support of the evidence in its behalf. And its order of the 18th of June was not the result of violence or haste. It was fully discussed in cabinet meeting, with the calmness and meditation demanded by the gravity of the question. The issuing of that order on the part of the executive was the fulfillment of its duty, which cannot and should not be sacrificed upon any occasion.

Mr. Foster thinks the local item published in the *Diario Oficial* of the 21st instant is of the same origin and character as the order of the 18th. This is not the case. The government has repeatedly declared in that paper that "the *Diario Oficial* is its organ in its official section, and that outside of this section its publications have no more value than is given by their private origin." This alone would be sufficient to show that the comments made in that paragraph regarding the news on American politics have no official character whatever; but besides this, the explicit declarations of the author of the paragraph in question, manifesting that, not even in the conditional manner in which he wrote, did he make himself responsible for the comments which are even made by the American press, and which declarations are repeated in the *Diario* of the 22d and 25th of this month, should furnish complete conviction that the

said paragraph not only did not have an official origin or character, but that it did not even insure the statement which it made. The undersigned expressly assures Mr. Foster, therefore, that that paragraph is not official, nor has it any connection with the order of the 18th instant issued by the War Department.

The minister of foreign affairs can assure Mr. Foster that the Mexican Government participates, in an equal degree of sincerity, in the desires of his excellency that cordial relations may soon be established between the two countries, and that it will do everything that depends on it, with no other restriction except the saving of the interests and honor of the republic, to renew and strengthen those relations. If the frontier difficulties have been until now the cause of constant unpleasant questions between the two nations, and at times have been the motive for conflict between them, the Government of Mexico, after a conscientious study of these affairs, has sent its plenipotentiary to Washington with the necessary instructions to propose the measures which in its judgment will give a satisfactory solution to those difficulties. The present Government of Mexico, zealous in the fulfillment of its international duties, of which it has already given undeniable testimony, will omit nothing in order that the honor of the republic, which is bound to the fulfillment of those duties, remain unstained in its relations with foreign powers.

I. L. VALLARTA.

MEXICO, June 30, 1877.

[Inclosure 2 in No. 17.]

Mr. Foster to Mr. Vallarta.

[Unofficial.]

LEGATION OF THE UNITED STATES,
Mexico, July 23, 1877.

SIR: I have examined with care the memorandum which your excellency handed me on the 20th instant. While it reviews at considerable length the brief memorandum which I left at the foreign office on the 23d of the month past, I do not regard a single one of the six points noticed therein as successfully assailed. Were it desirable to enter upon an extended discussion of these points, I might be inclined to refer to some of the fallacious inferences which your excellency has drawn from the inconsistent statements presented by you. But your excellency will remember that when I left my memorandum at the foreign office, I stated that I had prepared it on account of the publication made in the *Diario Oficial* of the order of the minister of war to General Treviño, and especially of its editorial statement of June 21 that the President of the United States had issued the instructions to General Ord through sinister and disreputable influences; that the arraignment of my government in the manner stated was creating an unjust prejudice and excitement in Mexico, which might result in lasting injury to both countries; that I deemed it due to my government that a brief and precise statement of its position be at once made public in the columns of the official organ in which it had been imprudently assailed; and that I left the memorandum with a request for its early publication, notifying you at the same time that I regarded it as my duty to furnish a copy thereof to my diplomatic colleagues for the information of their respective governments.

Your excellency will remember that after subsequent interviews in regard to its publication, I was induced at the personal instance of the President of the republic, expressed through one of his cabinet ministers, to withdraw my request for the publication of my memorandum.

As the special object for which the memorandum was prepared has not been accomplished, and in view of the fact stated in your excellency's memorandum, that the Mexican Government is desirous of entering upon treaty negotiations for the adjustment of the questions therein referred to, I do not, therefore, regard it as either desirable or opportune to continue the discussion. I have, however, to request that the present note may be included in any publication which the Mexican Government may think proper to make of the memoranda.

It is pleasant for me to have this opportunity to repeat to your excellency the assurances of my very distinguished consideration.

JOHN W. FOSTER.

To his excellency I. L. VALLARTA,
Minister of Foreign Affairs, Mexico.

No. 18.

Governor Hubbard to the President.

[Telegram.]

AUSTIN, TEX., August 13, 1877. (Received August 14.)

SIR: I am advised by Brigadier-General Ord, commanding Department of Texas, that on the 12th instant a party of Mexicans from the State of Tamaulipas crossed the Rio Grande River to Rio Grande City, the county-seat of Starr County, Texas, bordering on said river, broke open the jail by force and arms, released two murderers therein confined, and, in so doing, severely wounded the State attorney, Hon. Noah Cox, and three jailers. These murderers were followed by a small party of United States troops until they recrossed the Rio Grande into Mexico. Under the extradition treaty in force, I am vested with authority to demand extradition of criminals from any neighboring Mexican State. I propose to make this demand, but desire co-operation by a simultaneous demand from the President. It is an outrageous violation of our treaty relations and international law. I therefore, in behalf of our people, have the honor to make this request and that the Republic of Mexico make reparation for this act, deliver the murderers released to our civil authorities, and inflict punishment upon the outlaws who committed the outrage.

I have, &c.,

R. B. HUBBARD,
Governor of Texas.

No. 19.

Mr. Seward to Governor Hubbard.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 14, 1877.

The President directs me to acknowledge receipt of your dispatch of the 13th instant. Your proposed demand for extradition is in accordance with treaty stipulations. Measures for protection and maintenance of American rights involved will be immediately taken here.

F. W. SEWARD,
Acting Secretary.

No. 20.

Mr. Seward to Mr. Foster.

[Telegram.]

WASHINGTON, August 15, 1877.

FOSTER, Minister, Mexico :

Urge extradition, and demand reparation for invasion of Texas and attack on jail at Rio Grande. Dispatches by mail.

SEWARD,
Acting Secretary.

No. 21.

Mr. Seward to Mr. Foster.

No. 411.]

DEPARTMENT OF STATE,
Washington, August 15, 1877.

SIR: I transmit herewith a copy of a *telegram just received from the governor of Texas, and the *reply made to it by direction of the President. The case to which they refer is one of grave importance.

It is probable that the steps taken by the authorities of Texas, under the provisions of the treaty with Mexico in regard to extradition, will result in the arrest of the guilty parties. Of the progress of these efforts you will be promptly informed, and if they shall not be attended with immediate success you will be expected to make similar application to the authorities at the national capital.

The event is no merely ordinary crime. It partakes of the character of a national injury, and such events are, unhappily, growing but too frequent. To the long catalogue of raids into Texas for purposes of theft and plunder have now been added two deliberate hostile invasions of American territory by armed bands from Mexico. Public officers of the State of Texas have been seriously wounded, and murderers have been released from custody. To suppose for a moment that the authorities in Mexico will acquiesce in this outrage or will shield the offenders would be to suppose the Republic of Mexico is no longer disposed to maintain the attitude of a friendly power at peace with the United States. You are instructed, therefore, to lay the facts at once before the officers of the *de facto* government, with which you are holding unofficial intercourse, and to demand their co-operation in the arrest and punishment of the perpetrators of these crimes, and such reparation for them as it is now possible to make.

I am, &c.,

F. W. SEWARD,
Acting Secretary.

No. 22.

Mr. Foster to Mr. Evarts.

[Telegram.]

MEXICO, August 23, 1877.

(Via Brownsville, September 4.)

Mexican Government states all diligence being used to arrest assailants of Texas; prompt extradition of all discovered offenders promised. Official information received here that expedition was organized in Texas.

JOHN W. FOSTER.

No. 23.

Mr. Foster to Mr. Evarts.

No. 590.]

LEGATION OF THE UNITED STATES,
Mexico, August 23, 1877. (Received September 13.)

SIR: On yesterday I received your dispatch dated on the 15th instant, in which you instruct me to "urge extradition and demand reparation for invasion of Texas and attack on jail at Rio Grande City."

* For inclosures see Nos. 18 and 19 *ante*.

I at once called upon Mr. Vallarta and informed him of the contents of your telegram. He said that his government had received information of the occurrence, and that he was just preparing orders to be sent to the governor of Tamaulipas, instructing him to carry out the stipulations of the treaty of extradition in regard to all who had been or might be arrested in Mexico charged with participation in the affair. He further stated that as soon as the government had information of the event, it sent instructions to General Treviño and other officials to use every exertion to detect and arrest any of the guilty parties in Mexico, authorizing them to expend whatever money was necessary to aid in the detection. He said the reports which had been sent by the Mexican officials on the frontier were to the effect that the persons who composed the party attacking the jail were American citizens of Mexican origin resident in Texas; that the expedition had been originated entirely in Texas; and that after the attack the assailants had fled into Mexican territory.

I saw Mr. Vallarta again this morning, and he said that the instructions in regard to the extradition of the guilty parties arrested in Mexico had already been telegraphed to the governor of Tamaulipas. I accordingly sent you to-day the following telegram, via overland wire:

Mexican Government states all diligence being used to arrest assailants of Texas jail. Prompt extradition of all discovered offenders promised. Official information received here that expedition was organized in Texas.

In view of the denial of Mr. Vallarta that there was any invasion from Mexico, I have thought best to confine my action for the present to reading to him your telegram, and urge prompt measures for the arrest and extradition of the offenders. When your dispatches by mail are received, I will act in accordance with the facts and instructions contained therein.

I am, sir, &c.,

JOHN W. FOSTER.

No. 24.

Mr. Foster to Mr. Evarts.

No. 593.]

LEGATION OF THE UNITED STATES,
Mexico, August 30, 1877. (Received September 13.)

SIR: Confirming my dispatch No. 590, of the 22d instant, in reference to the assault on the jail at Rio Grande City, I have to acknowledge receipt this morning of your dispatch No. 411, of the 15th instant, on the same subject.

I called to-day upon Mr. Vallarta and gave him a copy of the telegram of the governor of Texas to the President of the United States, and directed his attention to the statement of the governor that the assault was made by a party of Mexicans who crossed the river from the State of Tamaulipas. I said that this declaration of the governor was confirmed by the reports of the military officers on the frontier, and was in direct contradiction of the reports which he (Mr. Vallarta) informed me in our last interview on the subject his government had received. I then gave him the views of our government in regard to the affair, as set forth in your dispatch No. 411, and repeated my demand heretofore made for the arrest and punishment of the perpetrators of the crimes, and for such reparation for them as it was possible to make.

Mr. Vallarta repeated his previous statement as to the measures already taken and the instructions given, and assured me that his government would continue to give the subject its earnest attention with a view to the arrest and delivery of the criminals under the extradition treaty, and to the punishment of any persons who may have aided or abetted the assault in Mexico.

I asked Mr. Vallarta if he considered that it was necessary under the treaty that I should make any formal or written application for the extradition of the criminals. He said that he did not, as the treaty conferred ample powers upon the authorities of the frontier States to effect the extradition without diplomatic intervention or the action of the central federal government; and such instructions had been sent to the authorities of Tamaulipas.

I am, &c.,

JOHN W. FOSTER.

No. 25.

Mr. Seward to Mr. Foster.

No. 413.]

DEPARTMENT OF STATE,
Washington, August 30, 1877.

SIR: I transmit herewith a copy of a letter of the 18th instant from the Secretary of War, and of a telegram from General Ord which accompanied it, in relation to the measures taken by the Mexican authorities for the apprehension of the escaped prisoners from Rio Grande City jail, and the assault on the jail by Mexican bandits.

The department is gratified to learn of the judicious and energetic action taken by General Benavides in the matter.

I am, &c.,

F. W. SEWARD,
Acting Secretary.

[Inclosure in No. 25.]

Mr. McCrary to Mr. Evarts.

WAR DEPARTMENT,
Washington, August 18, 1877. (Received August 20.)

SIR: I have the honor to transmit for your information a copy of a telegram from General Ord, communicating intelligence received from Generals Canales and Treviño, relative to the measures taken by the Mexican authorities for the apprehension of the escaped prisoners from Rio Grande City jail, and concerning the assault on said jail by the Mexican bandits.

Very respectfully, &c.,

GEO. W. MCCRARY,
Secretary of War.

[Telegram.]

SAN ANTONIO, *August 16, 1877.*
(Received Washington, D. C., August 16, 1877, 9.15 p. m.)

TO ADJUTANT-GENERAL,
Washington, D. C.

The following just received:

"A. A. GENERAL:

"Benavides has offered \$2,000 reward for the escaped prisoners, and is making every exertion to capture them. The party were desperadoes, who place at defiance the laws of Mexico as well as the United States. The disturbed condition of the frontier, in a

• "FORT BROWN, *August 15, 1877.*

continual state of anarchy, gives them immunity from punishment. The central government is very little respected by the leaders on this frontier. If the government gets established it is proposed to make a change and endeavor to get order out of the confusion.

"SWEITZER,
"Commanding District."

MATAMORAS, August 15.

The following received from General Treviño, dated 14th:

"GENERAL ORD: Your telegram concerning assault by bandits on jail, Rio Grande City, which you consider done by Mexicans, received. I doubt Mexicans crossed to do this, there being plenty to do it on that side; nor do I think it just to hold authorities of Tamaulipas responsible for assault perpetrated in another country. Whether by Mexicans or not, my government will use means at hand to protect residents, but cannot go beyond her limits to protect foreign towns. General Canales and civil officers have taken prompt measures to arrest the offenders who made the assault, notice having arrived of their crossing. I repeat that the acts committed beyond jurisdiction of her officers are no just cause of complaint against this government.

"CANALES."

Above is brief of Treviño's telegram.

ORD,
Brigadier-General.

No. 26.

Mr. Foster to Mr. Evarts.

No. 594.]

LEGATION OF THE UNITED STATES,
Mexico, August 30, 1877. (Received September 13.)

SIR: In my interview to-day with Mr. Vallarta, in regard to the assault on the jail at Rio Grande City, I asked him what action had been taken by his government for the punishment of the officers who made the invasion of Texas in pursuit of Valdez's party of Lerdistas, on the 11th of June last; which is reported in your dispatch, No. 395, of June 21. He informed me in reply that the officer who ordered and commanded the expedition had been placed under arrest, and had been sent to Monterey for trial, which he supposed was now in progress.

I am, &c.,

JOHN W. FOSTER.

No. 27.

Mr. Foster to Mr. Evarts.

No. 602.]

LEGATION OF UNITED STATES,
Mexico, September 11, 1877. (Received September 26.)

SIR: When at the foreign office to-day, in response to my inquiry as to the news recently received by the government concerning the Rio Grande City raiders, Mr. Vallarta told me that information had been sent that two or more of the assailants arrested were Mexican citizens, and that the government had sent instructions to the authorities of the State of Tamaulipas to deliver them up to the American officials for trial. He said that the extradition treaty did not require the Mexican government to surrender its own citizens, but in this instance it was desirous of manifesting its disposition to do everything possible to secure the punishment of the criminals.

I assured Mr. Vallarta that if the authorities delivered the assailants under the instructions stated by him, the act would create a very favorable impression in the United States.

I am, &c.,

JOHN W. FOSTER.

No. 28.

Mr. Foster to Mr. Evarts.

No. 612.]

LEGATION OF THE UNITED STATES,
Mexico, October 6, 1877. (Received October 22.)

SIR: I have noticed the telegraphic report sent by the commanding officer at Brownsville to General Ord, that the Mexican Government had sent from Vera Cruz 1,500 federal troops to Matamoras, under command of General M. Gonzales, to relieve the state troops and irregular levies in garrisoning the Rio Grande frontier. Before this date you will doubtless have ascertained the falsity of the report; but it is to be regretted that it did not prove true.

It is just such a measure as this which I have urged upon the government of General Diaz from the beginning, and which it has constantly been promising should be done, but continues to delay putting into execution. And so long as the interior politics of the country continue threatening, and internal peace is not completely assured, I suppose the present administration will follow the practice of the past administration—reserve its best troops and most experienced and reliable officers to maintain the supremacy of the government against threatened insurrections, and leave the garrison duty of the Rio Grande frontier to such troops as can be gathered in that region, and under the command of local officers. The objections to such a course are, that the troops are both inefficient and strongly in sympathy with the prejudices and hostility of the frontier population against the citizens of Texas. The officers partake in a great degree of the same spirit, and the prevention of raids and the arrest and punishment of raiders are scarcely ever attempted in good faith.

In a letter dated on the 28th of May last, I informed you of the promise which Mr. Vallarta had made to me, that a federal force under a prominent and prudent general should be sent to that frontier. In that interview Mr. Vallarta informed me that the officer selected by the President for that service was General Manuel Gonzales, and that he was on his way to this capital to receive his instructions prior to his departure to the Rio Grande. Soon after his arrival in this city trouble was threatened in the revolutionary region of Tepic, and General Gonzales was sent to that part of the republic, on the Pacific coast, where he still remains.

It is rumored in this city that General Canales, displeased with the action of the government in ordering the delivery of the Rio Grande jail assailants, has resigned his command; and that General Treviño has also asked to be relieved, and has left the command of the Rio Grande frontier in the hands of a subordinate officer. In this way the present administration is repeating the practice of the past administrations. Whatever treaty stipulations may be made will fail in a great measure of their purpose until the Mexican Government treats the Rio

Grande frontier with more importance in a military point of view and changes its past policy in this respect.

I am, sir, &c.,

JOHN W. FOSTER.

No. 29.

Mr. Foster to Mr. Evarts.

No. 613.]

LEGATION OF THE UNITED STATES,
Mexico, October 12, 1877. (Received November 1.)

SIR: The surrender at Matamoras last month of the three Mexicans charged with the assault upon the jail at Rio Grande City to the American authorities, in accordance with the extradition treaty, has been the occasion of bitter attacks upon the Diaz government, both by the press of the frontier and the Lerdo organs and partisans in this city. It is charged that the executive, in issuing the order to General Canales to cause their unconditional surrender to the American authorities, (1st) invaded the judicial power in taking the criminals from the custody of the judge of Matamoras, who had taken cognizance of the case and had the prisoners in his custody; and (2d) that the President violated the last clause of article 6 of the treaty of extradition, which, it is contended, exempts Mexican citizens from surrender.

For the first reason, the judge at Matamoras made complaint to the department of justice, and to which Mr. Vallarta, the minister of foreign affairs, replied, by order of the President, vindicating his action. I inclose a copy and translation of the official correspondence on the subject.

The Diario Oficial, the official journal of the government, has replied to the second charge, which is, doubtless, the position assumed by the minister of foreign affairs, a translation of which article I transmit herewith, as indicating the unreasonable character of the attacks made upon the government for its commendable conduct in this matter.

I send also a translation of an editorial from the *Federalista*, the leading organ of the Lerdo party in this capital.

I am, sir, &c.,

JOHN W. FOSTER.

[Inclosure 1 in No. 29.—Translation.]

MEXICAN REPUBLIC, DEPARTMENT OF FOREIGN AFFAIRS, SECTION OF AMERICA.

Department of justice and public instruction, section 1st.

In a telegram of the 2d instant received to-day in this department, the citizen judge of the district of the North of Tamaulipas says to me the following:

"In conformity with article 4 of the extradition treaty with the United States, I am the proper judge to have cognizance of these matters.

"But the departments of foreign affairs and of war, in ordering General Canales to deliver the prisoners of Davis, claimed, have invaded my functions.

"I thought from what the latter told me on the 13th instant that the invasion would not be repeated; but it is not so, because it is again ordered that two prisoners be delivered by the said General Canales—Dominguez and another—which the extradition judge of Texas has asked of me.

"I pray you, therefore, to be pleased to state to the citizen President of the republic that this irregularity in making extraditions may occasion a grave conflict, sufficient to disturb the public peace on this frontier, or to give occasion to abuses on the part of our neighbors which may also occasion serious and complicated difficulties."

H. Ex. 13—4

And with the concurrence of the citizen President I transmit it to you for your information, and to the end that you may be pleased to decide upon what you may consider proper.

Liberty in the constitution:

October 5, 1877.

P. TAGLE.

To the SECRETARY OF STATE and of the DEPARTMENT OF FOREIGN AFFAIRS,

Presents

MEXICAN REPUBLIC, DEPARTMENT OF FOREIGN AFFAIRS, SECTION OF AMERICA.

The President of the republic having taken into consideration the telegram of the local judge of Matamoras of the 2d instant, inclosed with the note of your department of the 5th, has decided that the following be said in reply:

Article 4 of the treaty of extradition between Mexico and the United States establishes, as a general principle, that the delivery of fugitives from justice of each country should be made by order of the executive of the same, and the exception, with reference to crimes committed within the limits of the frontier States or Territories, does not by any means imply that in such case the federal executive is incompetent to order the extradition, but that it does not pertain to it alone to order it, but also to the governor of the State or Territory, or the political chief, (*jefe politico*), prefect, or district judge of the region of the frontier, duly authorized for the purpose by the former, or to the superior military chief when the civil authority is suspended from any cause.

Thus the competency of the federal executive to order the extradition of fugitives from justice or from the proper authorities of the United States, who solicit it in conformity with the treaty, is extended to all possible cases, with the difference that it is exclusive treating of crimes committed in States or Territories other than of the frontier, so that in such cases the said executive power only orders the delivery of fugitives from justice duly demanded; and in the case of crimes committed in frontier States or Territories it may also order the delivery through any of the enumerated authorities. This, besides being the natural and explicit meaning of the treaty, is entirely in conformity with the character of extradition, which is unquestionably an international matter, belonging, consequently, to the executive power of the federation to decide all cases in which it may be respectively asked or conceded.

The constitution charges it with directing diplomatic negotiations. Before foreign nations it is the representative of the national sovereignty, and is responsible for the fulfillment of the treaties, as well toward the governments with which they have been celebrated, as toward the republic which has intrusted to it in its federal charter the delicate trust of fulfilling the obligations contracted by those treaties and to make effective the rights acquired by the same.

Hence, if, independently of all action of the federal executive, the first civil authority of a State, or the principal authority of a frontier district or section, could take cognizance of matters of extradition and decide whether it is to be conceded or denied in certain cases, the said executive power would remain in those cases without means of preventing the violation of a treaty, and with the obligation to be responsible for it, as well to the foreign government in whose prejudice it might be committed, as to the Mexican Republic, whose decorum and interests would be compromised by such violation.

The authorities of which mention has been made should be considered, in conformity with the treaty and the nature of extradition matters, as *agents of the executive power* in order to assist it, and not with jurisdiction of their own, and still less exclusive jurisdiction.

The object of articles 2 and 4 of said treaty was simply to avoid in urgent cases the delay which would be occasioned by resorting to the federal executive of one or the other country in respectively asking and ordering the delivery of fugitives from justice; but as soon as that power has information of any of these cases the reason indicated does not exist, and the intervention of the authorities of the State or locality in the frontier district or section should cease; or at least it remains, and should remain, in all cases subordinate to the final resolution of said executive power.

The extradition of fugitives from the justice of a foreign country is not an act of judicial jurisdiction, but of national sovereignty, and the best proof of this is the treaty with the United States, which, in respect to crimes committed on the frontier, does not charge the *judicial* authorities with asking and conceding the delivery of such fugitives, but in preference the principal *civil* authority of the State, and only by delegation or special designation of the latter, the principal *civil* or judicial authorities of the district or section of the region of the frontier, indifferently, is charged with the duty.

In addition to this being the clear and explicit intention of the text of the treaty,

it is in accordance with the doctrines of European and American authors of great note, who generally, and with great profusion of philosophical reasons and public law, maintain that the extradition of fugitives from justice is not a judicial but a diplomatic matter, and consequently pertains exclusively to the power intrusted with the foreign relations of the country.

In view of the foregoing considerations, the President has been pleased to declare that the judge of Matamoras was not justified in considering his functions invaded by the order of the President in relation to the delivery of the two prisoners for the assault upon the jail at Rio Grande, since, in ordering it, he made use of his proper faculties in conformity with the treaty of extradition with the United States, and the nature of the case.

In communicating this resolution to the said judge, you will be pleased to inform him in accordance with the direction of the President, that if, as he stated in his telegram, the ordering of the extradition of the said prisoners by the federal executive power, has appeared to him as an irregularity and may be the occasion of altering the public peace of the frontier, it devolves upon the authorities of the same to dispel this erroneous idea, and to inspire the people with the greatest circumspection in matters of this class, which affect the foreign relations of the country; assuring him that in these the government is not guided by any other view than that of sustaining in every respect the national decorum.

Liberty in the constitution. Mexico, October 9, 1877.

VALLARTA.

To the SECRETARY OF STATE, and of the Department of Justice and Public Instruction.

MEXICO, October 9, 1877.

True copies.

ELENERIO AVILA.

Chief Clerk.

[Inclosure 2 in No. 29.]

[From the Official Journal, October 11, 1877.—Translation.]

EL NOTORIOSO DEL BRAVO.

This colleague, which is published in Matamoras, finds an incompatibility between the provisions of our treaty of extradition with the United States of the North and the order issued by the government of the Union to the end that the assailants and fugitives of the jail at Rio Grande City be delivered up.

We proceed to show that this order is not contrary in any manner to the provisions of the treaty.

"Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this treaty," says the article in question.

It is clearly seen that the two nations have not cared to impose upon themselves in all cases the obligation to refuse the extradition of their own citizens. If this had been their intention it would have been so expressed in precise terms; but, far from this, the terms of the treaty show that the contracting parties have desired to reserve the liberty of consenting or not to the extradition of their own subjects according to the special circumstances which accompany each case.

Not being obliged to do a thing does not signify the compromise to never do it; it simply signifies the liberty to do it or not to do it, according to circumstances.

It is understood from the foregoing that the Mexican Government, in ordering the extradition of the criminals of Rio Grande City, has done an act which it was not obliged to do by the respective treaty; but it has infringed or violated none of its clauses.

If we take into consideration the importance and gravity of this class of documents, as well as the attention and care in drawing them up with which diplomatists proceed who adjust them, we should suppose that if the authoritative form has been preferred to the prohibitive, it is not because it has been considered indifferent whether one was used or the other, but because there were weighty reasons at the time for preferring the former.

What may these reasons be? The high contracting parties could not do less than foresee the possibility of certain cases in which, for reasons of public morality or well-known mutual convenience, either of the two nations might consider it necessary to make the extradition of their own citizens; and with this foresight the liberty to act in one or the other manner according to circumstances was necessarily indicated in the treaty.

With much greater reason this was to have been foreseen, inasmuch as among the uses and practices of civilized nations numerous cases are found in which the latter

have consented to the extradition of their own subjects, notwithstanding that no treaty whatever obliged them to do it, cases which we will cite if it should be necessary.

In order to judge impartially the order issued by the Mexican Government, in the case under consideration, it should simply be ascertained if powerful motives exist which justify and make necessary the extradition of the assailants and refugees of the Rio Grande City jail.

It is not necessary to relate the facts of the crime committed by the said individuals, nor the special circumstances, because they are well known to the public. No one can doubt that it is proper for the two nations to mutually assist each other in securing the prompt and efficacious punishment of crimes of this nature and gravity. If an impartial examination be made of the act in question and of the circumstances which accompanied it, and if, besides, the condition of our northern frontier be considered, one cannot do less than agree that the government has acted with circumspection, and that in this case, with more reason than in any other, it should have exercised the right to make the delivery of its own citizens, which it reserved in the treaty of extradition. This proceeding was demanded by the honor of the country, which might have been wounded by suspicion, apparently well-founded, if it had acted differently.

Besides these reasons, which are possessed by the public, and which are sufficient to justify the proceedings of the government of the union, there are others of no less weight, and which have not been made public, because the opportunity has not yet arrived to do so without prejudice to the reserve which is due in negotiations of this class.

If the government in ordering the extradition of the criminals has exercised a faculty which the treaty concedes to it, and if, in exercising it, it has acted in conformity with the usages and practices of civilized nations, even by those which have always been most jealous of their honor and dignity, we do not understand what well-founded charge can be made against the order of the department of foreign affairs, which has occasioned these lines.

[Inclosure 3 in No. 29.—Translation.]

[From the *Federalista*, Lerdo organ, Mexico, October 12, 1877.]

The question of the extradition of criminals on the northern frontier, in conformity with the treaty between the United States and Mexico of the 23d of May, 1862, is becoming the subject of discussion in the press of Matamoras.

The revolutionary government is attacked with real vehemence, on account of the delivery made by order of the minister of foreign affairs, Vallarta, to the American authorities, of the supposed criminals, Pablo Parra, Bribido Outiveros, and Redolfo Espronceda, reputed to be Mexicans.

Thus is manifest in Matamoras the popular indignation at so disreputable an act, which indignation, without any doubt whatever, will be increased upon being informed of the new outrage committed in ordering that two other Mexicans be delivered also, to whom the official documents refer, which documents we will insert at the conclusion of these light comments.

The impunity with which the revolutionary government proceeds, delivering victims to American demands, is truly frightful. The selling of the people of Yucatan by Irigoyen seems less hideous than the delivery by Porfirio Diaz, and his minister Vallarta, docile and submissive, of the sons of the frontier.

In the first case the lives of the inhabitants of Yucatan were not endangered; they were simply exiled, encouraged by the hope of flight, and with it the hope of liberty. In the second case, the delivery to the American authorities of various people of the frontier is a death sentence for all of them, either judicially or by applying *lynch-law* to them, by which their lives will soon be taken.

That a Mexican, making use of the faculties of government, should break the law and treaties in order to make gifts of victims in exchange for a probable recognition of his usurping government, without regard to trampling upon the judicial authority, the fear of wounding national feeling, or the announcement of the probable disturbance of the peace, is monstrous to such a degree that it can hardly be conceived.

Nevertheless there is nothing more certain, startling, and horrible. The amazed nation contemplates the violation of its laws, the trade in its sovereignty, the mockery of its institutions, and lastly the delivery of its sons to the executioners of the neighboring nation! Can it bring upon itself greater debasement?

In the resolution which we publish signed by Mr. Vallarta, it is attempted to defend in a weak manner, and with arguments truly superficial, the proceedings in the past relating to the offense against the judicial power, entirely forgetting the treaty of extradition to which every proceeding should be subjected.

In fraction second of article 6 of the treaty, these exact words are read: "Neither of

the contracting parties shall be bound to deliver up its own citizens under the stipulations of this treaty." And, as in treaty matters, the letter of the text is obligatory, without interpretation of any kind, it may be affirmed that the Mexican authorities have no obligation to deliver up *Mexicans*, however exigent the American authorities may be.

To deliver Mexicans, then, without having the obligation and without the treaties demanding it, is a crime, is an attack upon the federal constitution which, in its article 126, defines treaties as the supreme law of the republic. If patriotism existed among the so-called federal powers, Porfirio Diaz and his minister Vallarta should be dragged before the grand tribunal to answer for their conduct in making the vile delivery of Mexicans. But in the epoch of social dissolution, the great virtues have disappeared, in order to cede the past to sickening and repugnant conspiracy.

Fraction second of article 1 is also explicit in the case. It is thus: "This shall be done (the extradition) only when the fact of the commission of the crime shall be so established as that the laws of the country in which the fugitive or the person so accused shall be found, would justify his or her apprehension and commitment for trial, if the crime had been there committed."

Well, then, have Porfirio Diaz and Vallarta evidence of the crime of which Parra, Ontiveros, Espronceda, and the other two Mexicans are accused? Has the legitimate arrest and trial of the accused proceeded in conformity with the laws of Mexico? Nothing is known of this in the palace, because all the evidences are in Matamoras, where, in view of them, the delivery ordered is considered monstrous.

This grave matter has consequently been decided blindly, without a knowledge of the facts, without data, with the sole idea of temporizing with the United States, flattering them, in order to ask in exchange the dreamed-of recognition.

This is the morality and patriotism of the present rulers; thus they pretend to comply with their duties as public authorities and as sons of Mexico.

No. 30.

Mr. Foster to Mr. Evarts.

No. 615.]

LEGATION OF THE UNITED STATES,
Mexico, October 16, 1877. (Received November 1, 1877.)

SIR: I transmit herewith an official telegraphic report by the Mexican general, at present in command on the Rio Grande frontier, of the crossing of American troops into Mexican territory, above Piedras Negras, in the last days of the past month, in pursuit of Lipan Indians, and the action of the Mexican troops occasioned thereby, and the reply of the minister of war thereto.

I am, sir, &c.,

JOHN W. FOSTER.

[Inclosure in No. 30.—Translation.]

[From the Diario Oficial, October 13, 1877.]

REPORT OF GENERAL NARANJO AND REPLY OF MINISTER OF WAR.

The frontier.

The following telegram has been received:

MONTEREY, October 9, 1877.

CITIZEN MINISTER OF WAR:

General Falcon reports from Piedras Negras that on September 29 an American force crossed into Mexican territory and attacked a camp of Lipan Indians, and transmits the report of Colonel Rodriguez, which gives details of the event. I send by mail the report referred to, from which I extract. Colonel Rodriguez immediately, on receiving information, started with one hundred dragoons, making a forced march of thirty leagues. Afterward he sent forward an advance of twenty dragoons and ten citizens, which overtook the American force. This force was composed of five hundred cavalry

and presented its line of battle, making a change of front for the defensive. The Mexican force imitated these movements, thus gaining time, awaiting the arrival of the colonel with re-enforcements. The Americans commenced to retire, and there was great prudence on both sides not to begin hostilities. The prudence and energy of Colonel Rodriguez do him honor.

I have ordered General Falcon to act in accord and on the terms which he indicates to me in a private letter, and that he continue to sustain with dignity the national honor.

F. NARANJO,

MEXICO, October 13, 1877.

General FRANCIS NARANJO:

The President of the republic has been informed of an American force, consisting of five hundred cavalry, crossing into Mexico and attacking a band of Lipan Indians. The report of Colonel Rodriguez, in which details are given, is awaited in order that the proper resolution may be taken.

OGAZAN,
Minister of War.

No. 31.

Mr. Foster to Mr. Evarts.

No. 616.]

LEGATION OF THE UNITED STATES,
Mexico, October 18, 1877. (Received November 6.)

SIR: Referring to my No. 613, of the 12th instant, on the subject of the defense by the minister of foreign affairs of the order of the executive for the extradition of three of the assailants of the Rio Grande city jail, I now transmit a translation of an additional editorial from the government official journal of yesterday. This article discusses the last clause of article VI of the extradition treaty, maintaining that the said clause does not absolutely exempt Mexican citizens from extradition, but simply reserves to the executive the right to decline to surrender its own citizens or not, as convenience or public policy may determine. It proceeds to a citation of treaties and authorities, to show that it is the practice of other nations to surrender their citizens or subjects for crimes committed in other countries, and defends the action of the executive as in accordance with the more advanced and enlightened principles of international law and comity, and as required by the peculiar circumstances of the crime in question and the condition of affairs on the Rio Grande frontier. The editorial may be considered as an authoritative exposition of the views of the minister of foreign affairs.

I am, sir, &c.

JOHN W. FOSTER.

[Inclosure in No. 31.—Translation.]

[From the *Diario Oficial*, October 17, 1877.]

MORE IN REGARD TO EXTRADITION.

The note of the department of foreign affairs, communicating to that of justice the decision in regard to the extradition of the refugees and assailants of the jail at Rio Grande City, states with clearness and precision the foundations of the said resolution of the supreme government, so that it appears unnecessary to enter upon further explanations, which can only be excused by the persistency of certain newspapers in censuring that resolution.

The interpretation which the department of foreign affairs has given to article 6 of the treaty is the natural and genuine one, it being understood that the clause is restrictive, authorizing the extradition of citizens subordinate to reasons of convenience.

The article enumerates the cases in which, in an absolute manner, the extradition shall not occur, and continues: "Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this treaty."

Article 10 of the treaty concluded between the Argentine and Uruguay Republics on the 14th of June, 1865, is similar to that under consideration, since it says: "If the criminal demanded shall be a citizen of the nation upon which the demand is made, its government will not be obliged to make the extradition." "Thus this clause," says a French publicist, "authorizes, under certain restrictions, the extradition of natives." (Billot, *Personnes passibles d'extradition*, cap. 2, lib. 2.)

As is seen, the interpretation of the treaty is not arbitrary or forced, as appears to the newspapers alluded to, in their task of vituperating all the acts of the government.

The editor of the *Federalista*, whom we believe much better versed than we are in the history of France, cannot do less than admit that Napoleon was a ruler jealous of the national honor, and nevertheless he issued in Amsterdam the decree of the 23d of October, 1811, permitting the extradition of his own subjects accused of crimes committed in foreign territory. Certain authors have considered the imperial decree repealed by article 4 and 62 of the charter of 1814, which are found reproduced in that of 1830; but those of greater note agree "that the government has proclaimed in a decree that French citizens could be delivered up to foreign justice." (M. Faustine Helie, *Traité de l'Instruction Criminelle*, t. ii, ch. 5.)

The treaties of France signed with England on the 13th of February, and with the United States on the 9th of November, 1843, express in a specific manner "that extradition should be applied to all persons accused, &c."

The latter power has always shown itself disposed to agree to the extradition of its citizens. It does not admit that a man may be justly withdrawn from the jurisdiction of a country whose laws he has violated. It has considered it to be its duty to adopt more elevated views, making concessions to the common interest which all civilized people have in the suppression of crime. Thus it is that, in treaty of the 9th of August, 1842, celebrated with England, it has stipulated for the mutual delivery of criminals, whose crimes are there specified, (all persons who, being charged with the crime of murder, or assault, &c.) Like stipulations are contained in the treaties of the 30th of September, 1868, between Italy and the United States; that of the 19th of September, 1870, between that republic and that of Nicaragua; and that of the 25th of November, 1850, concluded between Switzerland and the United States. The convention of the 3d of July, 1856, celebrated between Austria and the United States, comprehends the same clauses.

In the official edition of the treaties and conventions celebrated between the United States of America and other powers from the 4th of July, 1776, we find among the explanatory notes the following, in chapter relating to extradition: "Unless otherwise provided by treaty, it is immaterial whether the person demanded is or is not a citizen of the United States." Wheaton teaches the same. (*State Trials*, 392.)

Without the necessity of engulfing ourselves in works of international law, where our adversaries will encounter innumerable cases of extradition, even without the pre-existence of a treaty which authorizes it, we will limit ourselves to citing that of Mr. Henry Tourville, an English subject whose extradition was asked of the English authorities and conceded by the same in the month of December last. The accused was taken before the tribunal of Botzen (Tyrol) where he was tried.

The *Federalista* and the *Bandera Nacional* will be easily convinced that even without the necessity of a formal extradition treaty, it has been asked and conceded by different states, which is the common practice of civilized nations.

On the part of the country which determines the delivery of the individual demanded, the extradition is an act of supreme authority. It pertains, therefore, to the Federal Executive, as intrusted with the custody and exercise of the supreme power, to authorize a measure of this nature. When governments intrust these attributes to other magistrates, they simply delegate their faculties, being able, consequently, to make such delegation when they judge it opportune.

Has the government failed in its duties of giving protection to Mexicans in conceding the extradition of three of the latter for crimes committed against a foreign nation? Will it not be a matter of reciprocal convenience not to convert the banks of the Bravo into an asylum for criminals—a perennial spring of mutual reclamations? It is necessary to agree that the duties of the protection of a state toward its citizens lacks the extension which certain writers of what is called the opposition attempt with exaggeration to give them. These duties are limited to seeing that no citizen becomes the victim of an express denial of justice in a foreign country, of a manifest refusal of equity, or of barbarous practices condemned by civilization. If the government has duties toward citizens, it has also international duties with which to comply, to which it would be unfaithful by refusing its assistance in the exercise of salutary justice.

Concerning the speculations relative to General Canales, they have for their object the desire to create divisions and sow discord among the public functionaries.

No. 32.

Mr. Evarts to Mr. Foster.

No. 421.]

DEPARTMENT OF STATE,
Washington, October 24, 1877.

SIR: Your dispatch No. 612, of the 6th instant, in reference to troops for the Rio Grande frontier, has been received. In suppressing border disturbances and in bringing offenders to justice it is not doubted that the Mexican regular troops are more efficient and impartial than the local levies to which you advert.

I am, &c.,

WM. M. EVARTS.

No. 33.

Señor Mariscal to Mr. Evarts.

[Translation.]

LEGATION OF MEXICO IN THE UNITED STATES,
Washington, April 28, 1877.

MR. SECRETARY: On the 3d instant an occurrence took place between Eagle Pass, Texas, and the Mexican town of Piedras Negras, to which I find myself obliged to call your attention. A number of United States soldiers, under the command of Colonel Shafter, crossed the Rio Bravo, (Rio Grande,) and proceeded to the aforesaid town for the purpose of liberating by force two men who had been arrested by the local authorities on Mexican soil.

I received immediate notice of the occurrence by telegraph, which was confirmed from various sources. Expecting, however, somewhat fuller and more reliable data, I confined myself to informing Mr. Frederick Seward, Assistant Secretary of State, of the incident, in a general way, in the interview which I had the honor to have with him a few days since. I have to-day received information sufficient to enable me to form an idea of what took place, and I take the liberty of transmitting it in the inclosed copies of the letters which passed between the Mexican consul at San Antonio and the military commandant of the Department of Texas.

As you will be pleased to observe, General Ord admits that the act to which I refer was performed by his order; and he alludes, moreover, to the crossing of another party of soldiers from his department to the territory of Mexico in pursuit of Indians, on which occasion the two men served as guides to the foreign force. The same general, as he states in his communication, sent word to the alcalde of Piedras Negras, "That the guides, who were under arrest, had acted in accordance with the permission obtained by the present authorities from the district of Mexico, and by authority from Washington." I quote the exact words of the communication, which was written in Castilian, according to the copy sent me by Mr. Morales, the consul; and I must declare that I do not understand to what permission obtained or given in the city of Mexico General Ord can have reference. From the data on file at the legation under my charge, I am certain that my government, notwithstanding its earnest desire to co-operate with the United States in the

pursuit of Indians or criminals on the frontier, has not granted a general permit to pursue them, to the troops of this country, being prevented from doing so by an article in the constitution of the republic.

Even if a permit had been granted (contrary to the information which I have received) for the crossing of the river in pursuit of Indians, this would not justify the subsequent occupation of Piedras Negras, and the threat made by the force to liberate two prisoners who were subject to the jurisdiction of Mexico, and who, moreover, were probably Mexicans. As peace happily prevails between the two countries, there is no possible circumstance that could justify such an act, as the eminent jurist whom I have the honor to address is well aware.

It is not only a violation of Mexican territory that was committed in this last instance, but a direct insult was offered to the authorities of the country, who were threatened with military force to the end that they should surrender two persons who were beyond a doubt subject to their jurisdiction. If the prisoners were not rescued by violence, this was due to the fact that they had been removed to the interior; and if there was no effusion of blood nor anything else to render the occurrence still more lamentable, it was only because, as it appears, resistance was just then impossible. Still, the effect produced upon the Mexicans residing near the Rio Bravo, and which will be produced throughout the rest of my country by this unexpected attack, is totally at variance with what is to be desired for the preservation of harmony between two neighboring nations, and especially for the paving of a way to the settlement of certain international difficulties peculiar to that frontier.

In view of these considerations, and of others which cannot escape the penetration of the Government of the United States, I hope that the parties who are responsible for the act to which I refer will be reprimanded as they deserve, and that suitable measures will be taken to prevent a repetition of similar acts; all the more, inasmuch as (if there is any foundation for certain rumors published by the press) there is a plan on foot, and preparations are being made in Texas to continue invading the territory of Mexico, whenever the military authorities may think proper.

I avail myself, &c.

IGNO MARISCAL.

Hon. WILLIAM M. EVARTS, &c.

[Inclosure 1 in No. 33.—Translation.]

Señor Morales to General Ord.

MEXICAN CONSULATE AT SAN ANTONIO DE BEXAR, TEX.,
San Antonio de Bexar, Tex., April 9, 1877.

I yesterday received a letter from Piedras Negras, dated the 4th instant, whereby I am informed that, on the day previous at day-break the inhabitants of that town were surprised by the appearance of a force of United States infantry and cavalry, under the command of Colonel Shafter, and also that the artillery of Fort Duncan, on the American side, was placed in such a position as to menace Piedras Negras, causing general consternation in every family, the people being unable to explain the cause of that invasion, and still less to conjecture what would be the final result.

As I regard this information as perfectly reliable, I am surprised that this occurrence took place without being preceded by such requisites as are indispensable in such cases; yet, as it may be that you have received instructions for your guidance in such cases, which may have been in pursuance of an arrangement between the Government of the United States and that of the country which I have the honor to represent, I abstain for the present from making any complaint against the parties who committed this act, simply requesting you, if there is nothing to prevent, to be pleased to inform

me in regard to this occurrence, principally as to the causes which may have existed for the introduction of United States forces into the port of Piedras Negras.

Being convinced of the desire which you have ever entertained for the preservation of peace and the maintenance of friendly relations with the Mexican authorities of the border, I trust that the disagreeable occurrences to which I refer in this note are not to be attributed to causes calculated to disturb the aforementioned peace and friendly relations, and that, whatever may have been the causes which gave rise to these occurrences, they will that prevent a peaceful settlement, and one that shall be satisfactory to both countries, from being reached, when they are brought to the knowledge of our respective governments.

Be pleased, general, to accept the assurance of my highest consideration and most distinguished esteem.

Independence and liberty.

M. M. MORALES.

General F. O. C. ORD,

Military Commandant of the Department of Texas, present.

A copy.

CAYETANO ROMERO,

Second Secretary.

WASHINGTON, April 28, 1877.

[Inclosure 2 in No. 33.—Translation.]

General Ord to Señor Morales.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Tex., April 14, 1877.

ESTEEMED SIR: Your favor of the 9th instant has been received, and I take great pleasure in communicating to you the particulars which I have received by telegraph in respect to the matter to which you refer in your letter. The official report has not yet been received.

On the 1st or 2d instant, I received information from Fort Clark that the commandant of the district had learned that two of the guides employed by him to follow trails and to accompany a party of troops had found the trail of a band of Indians who had shortly before crossed over into Mexico with a drove of cattle which had been stolen on this side of the river, and that said guides had been arrested by the local authorities of Piedras Negras, and their lives threatened. I telegraphed to Col. S. H. Taylor, the adjutant-general of the department, who was at Fort Clark, to go immediately and acquaint the authorities with the facts and state to them the object of the expedition, informing them that the guides who had been arrested had acted in accordance with the permission obtained by the present authorities from the district of Mexico, and by authority from Washington, and that any injury done to said guides for their services to the United States forces would be considered as a protection to the hostile Indians who make it their business to steal from citizens of the United States and to devastate their lands.

I also instructed him to demand the immediate release of said guides, and in case said authorities should refuse to release them and the guides should declare that they were American citizens and were in danger of being shot for having aided the United States to make use of all the force at his disposal to secure their liberty. Fearing that the lives of these men were at the mercy of irresponsible persons, or that, in consequence of the bitter feeling caused by the civil war prevailing in Coahuila, they would be summarily shot, I telegraphed to the officer in command of Fort Duncan inquiring concerning the situation of the two guides, to which he replied that they were under arrest and considered as traitors, and that they would probably be tried by incompetent authorities and shot. Fearing that these men would be murdered, and there being no time to investigate the question of their citizenship or to address the superior authorities, I ordered the commanding officer to go that very night to see the alcalde and state to him what I had telegraphed to Colonel Taylor, and to demand the immediate release of the men.

Having obeyed the order, he reported that the guides were imprisoned by order of the alcalde, who asserted that they had been arrested in pursuance of instructions received from the government, and that he refused to release them, and that his orders were to arrest any person who should act as guide to the troops of the United States in Mexico.

In accordance with the instructions aforementioned, the troops crossed the next night for the purpose of rescuing the guides by force, but, finding that they had been taken to some other place, returned without firing a shot. The best relations having previously existed between the military authorities of the Mexican frontier and those

of this side, and our officers having furnished guides to the Mexican troops to enable them to arrest refugees and offenders against the laws of Mexico on this side of the Rio Grande, the unusual course pursued by the local authorities of Coahuila surprises me, both for reasons already stated and because it must be supposed that the central government is responsible for their acts; and as these authorities have openly expressed a determination to defend and protect the hostile Indians from the consequences of their incursions into the United States, and of their depredations committed against the property of American citizens by means of their government, a just claim against Mexico for indemnity for all the acts committed by the Indians while under the protection of its agents— (No verb expressed.)

I avail myself of this occasion to offer you, sir, the assurance of my highest consideration and most distinguished esteem.

E. O. C. ORD,

Brigadier-General and Military Commandant of the Department of Texas.

M. M. MORALES, Esq.,

Consul of Mexico, Present.

A copy.

CAYETANO ROMERO,

Second Secretary.

WASHINGTON, April 28, 1877.

No. 34.

Mr. Evarts to Señor Mariscal.

DEPARTMENT OF STATE,

Washington, May 1, 1877.

SIR: I have the honor to acknowledge the receipt of your note of the 28th ultimo, with inclosures, in relation to the proceeding of General Ord in regard to the case of the two men who acted as guides to the United States troops in pursuit of wild Indians, and who were arrested by the Mexican authorities of Piedras Negras, and in reply to state that inquiry will be made into the subject.

Accept, sir, a renewed assurance of my high consideration.

WM. M. EVARTS.

No. 35.

Memorandum left with Mr. Evarts by Señor Mariscal June 7, 1877.

Mr. Mariscal said that, in order to explain the painful surprise with which he had seen the instructions given to General Sherman for the use of the Army across the Rio Grande, he would briefly refer to some facts connected with the history of the so-called Mexican depredations in Texas.

In the year 1872, the Government of Mexico sent to the border an investigating commission, who invited the parties on both sides to give their testimony on the alleged outrages. This was in consequence of an American commission appointed by the Executive having reported in favor of enormous claims.

The Mexican commission worked most conscientiously and proved that such claims were exaggerated to an amount really absurd. They also showed, among other things, that the robberies committed about the frontier were mutual from one country to the other, and that those occurring in Texas were generally perpetrated either by American Indians or by men of doubtful nationality, and when by Mexicans, it was

because there were among the Texans organizers and promoters of those raids. He (Mr. Mariscal) sent officially a book in English with the reports of that commission, and called to its contents the attention of Secretary Fish.

A new American commission was sent to the frontier, who acknowledged the monstrosity of the claims advocated by the former. Then a bill was introduced in the House of Representatives proposing to authorize the Executive for the use of the Army on the border precisely in the same manner now decided upon.

In spite of the efforts of influential parties, and particularly by the Hon. Mr. Schleicher, who wrote an elaborate report, as the chairman of a special committee, the bill did not pass, because, as was shown in the debate, such policy was considered detrimental to the rights of a neighboring nation with whom the United States was at peace. The House simply authorized the Executive to organize some cavalry troops for the custody of the frontier. These troops, as Mr. Mariscal understood, were placed in the region designated, and either their presence, or some other causes which he is not prepared to specify, have produced considerable diminution of the alleged depredations. This is a fact recognized by the very organ of the bordermen, (The *Ranchero*,) a newspaper published in Brownsville.

In the mean time, and when very little was heard of cattle robberies near the Rio Grande, General Ord dispatched recently some troops to the Mexican town of Piedras Negras, not in pursuit of robbers, but to compel the authorities there to surrender two men—two Mexicans—who were in jail preparatory to their trial. The reason alleged for this high-handed act seems to be that the two men had served as scouts to American troops for the pursuit in Mexico of some Indians, and the general wanted to save them from the punishment which they incurred by violating the laws of their country. Mr. Mariscal has complained in a note to Mr. Evarts, of this unexpected outrage to Mexico, and the Department of State offered him to make an inquiry of the facts.

In view of all these antecedents, he cannot but feel surprised that now the policy has been adopted, proposed unsuccessfully last year by the Hon. Mr. Schleicher, of openly threatening Mexico with the invasion of her territory, and that such adoption takes place when the depredations have diminished, and no recent and considerable ones can be alleged. He is equally surprised that, in the instructions alluded to, the discretion is expressly trusted of General Ord, who has recently made himself responsible for the most unjustifiable invasion in Mexico.

Without the least reflection to persons who, like the Hon. Mr. Schleicher, may promote in good faith the policy now adopted, he had to remember a fact characteristic of the intrigues set up for the agitation of questions in regard to the frontier and against Mexico.

In 1875, during certain excitement in Texas on account of a raid of bandits, it was telegraphed from Washington that he (Mr. Mariscal) had affirmed in a dispatch to the Secretary of State that the depredations committed in that region were due to ex-Confederate soldiers. That telegram gave occasion to a public meeting in Brownsville, condemning Mr. Mariscal's supposed conduct, and casting odium against Mexico or its representative.

Mr. Fish knew that Mr. Mariscal never made any similar statement, either in writing or verbally, and reproved those intrigues in which some Federal officials were concerned who took a prominent part in the meeting.

Intrigues will always be used to create difficulties with Mexico on

account of the frontier, and he is very sorry that this time they seem to have prevailed upon the sound judgment and sense of justice of the American Government.

In conclusion, he considers it now his painful duty to protest, and he does most respectfully and earnestly protest against all invasions of the Mexican territory under any circumstances whatever. He confidentially announces that the Government of Mexico will never consent or overlook them. Its sense of duty, and public opinion, unanimous on this point, will always cause it to remonstrate against the determination to carry them into effect, and if, unfortunately, they should be insisted upon, to adopt such measures as the dignity of the nation may demand.

IGNO. MARISCAL.

No. 36.

Señor de Cuellar to Mr. Evarts.

[Translation.]

MEXICAN LEGATION IN THE UNITED STATES,
Washington, September 7, 1877.

MR. SECRETARY: In pursuance of instructions received from my government, I have the honor herewith to transmit to you a copy of a note addressed to me by the minister of foreign relations of the Mexican republic, under date of the 18th of August last. I will thank you to acknowledge its receipt.

I renew to you, Mr. Secretary, with this motive, the assurances of my very high consideration.

JOSÉ T. DE CUELLAR.

Hon. WILLIAM M. EVARTS, &c.

[Inclosure in No. 36.—Translation.]

Señor Vallarta to Señor de Cuellar.

MEXICAN REPUBLIC—MINISTRY OF FOREIGN RELATIONS.
SECTION OF AMERICA, No 112—OFFENSES AGAINST MEXICO.
MEXICO CITY, August 18, 1877.

For some years past the invasions of United States forces have been succeeding each other, constantly assuming a graver character. Meanwhile, the protests and complaints made by Mexico against these acts, which she has always considered as a violation of her territorial rights, have not been sufficient to prevent them.

In May, 1873, Colonel McKenzie entered Mexican territory, where he attacked the Kickapoo Indians, killing some, capturing others, and dispersing the rest. The government considered this invasion as an infraction of international stipulations, and instructed its minister at Washington to complain, with a view to obtaining satisfactory explanations with regard to that act, and a promise that similar acts should not be repeated in future.

The minister, in obedience to these instructions, addressed to the Department of State his note of January 14, 1874, setting forth the rights of Mexico and asking due reparation. The Secretary of State acknowledged the receipt of this note on the 5th of February following, saying that the War Department had been asked for information, in order that a sufficiently full reply might be sent.

At the beginning of the year 1874, Governor Coke, of Texas, issued an order to Captain Benavides to pursue cattle-thieves with his company as far as possible, "both on this side of the river and on the other." The invasion of Mexican territory which was thus ordered very properly attracted the attention of the Department of State, seeing that "that order does not respect the national boundary-line of the Rio Grande, but gives authority to cross it and enter Mexico in pursuit of cattle-thieves," and the honorable Mr. Fish requested the Attorney-General of the United States to address

that governor, as he did on the 23d of July, 1874, asking him for a report of his conduct, "that it may be considered," says the Attorney-General to Mr. Coke, "to what extent you have rendered yourself accountable, according to the laws of the United States, for the order which has been given to invade Mexican territory." At the same time the governor's attention was called to article 6 of the law of April 20, 1818, in view of which the Department of State had addressed the Attorney-General.

Governor Coke, in justification of his conduct, enters into various considerations, in his opinion, sustain his order. The most remarkable ground alleged in defense of this order is thus stated by the governor: "This necessity (that American troops should invade Mexican territory in pursuit of cattle-thieves) has been twice recognized and acted upon * * * by a brave and skillful officer of the United States Army. * * * I refer to General McKenzie, who, with his troops, pursued bands of cattle-thieves, crossing the boundary-line, and, on one of these occasions, it is believed that he inflicted condign punishment upon them on Mexican soil. Not a word of disapprobation has ever been heard here from the government at Washington on account of the action of that distinguished officer, while the press and the people of this country have applauded it highly." From that precedent, which is condemned by international law, he deduces the following still more illegal inference: "If the troops of the United States have a right to cross the frontier and to continue the pursuit of cattle-thieves on Mexican soil, of which there is no doubt, the troops of the State of Texas, which are doing the duty of those of the United States, and which are doing it because there are no United States troops there (on the frontier) to do it, have the same right."

Although the Attorney-General referred to article 6 of the law of April 20, 1818, which renders punishable as a grave crime the "procuring or preparing of any military expedition or enterprise on American soil against the territory or dominion of any foreign prince, state, colony, district, or people, with whom the United States are at peace;" nevertheless this ministry is not aware that any action was taken by the Attorney-General against the offending governor; it is not aware, that a single word of disapproval has been uttered by the Washington Government against this violation of the law of nations and that of the United States; still more, it is in evidence that orders similar to that of Governor Coke have emanated from Texas to invade the national territory. The silence, the acquiescence of the Government of the United States, after receiving the report of Governor Coke, on seeing the invasion of General McKenzie referred to as a legal precedent, gave, as early as 1874, a much graver character to the invasions of Mexico.

In November, 1875, Captain McNally, in the service of Texas, who had received orders similar to those issued by Governor Coke, commanded another invasion, in which Captain Randlett, of the United States Army, also took part. While this was going on, General Potter notified the military commandant at Matamoras that some cattle had been stolen on the American side, and that the thieves had crossed the river with the animals; that an officer of the United States Army had notified the Mexican authorities that if the cattle were not returned and the thieves surrendered, he would cross over into Mexican territory.

As soon as General Fuero was informed of these occurrences he sent a telegram, on the 19th of the same month of November, to General Potter, saying that the law of nations and existing treaties had provided the legal means which must precede a resort to violence in case of any difficulty between the two republics, and that this invasion of Mexican soil was therefore unjustifiable before the civilized world. He requested him to order the immediate return of the American forces from the national territory, and notified him that if, unhappily, he should fail to do this, he would be under the painful necessity in order to protect the honor of Mexico, not only of protesting energetically against the proceeding, in the name of his government, but also of repelling force by force. General Potter, doing justice to that demand, apologized for the violation of Mexican territory, saying that it had been done in disobedience of his orders, but that the troops had already left the soil of Mexico, having done so on the evening of that day (the 19th) at 6 o'clock. General Potter admitted that this act was a violation of the laws to which General Fuero alluded; he repeated, however, that it was because the officers of the United States troops had disobeyed the orders given them; nevertheless the Mexican Government is not aware that that of the United States has punished that violation of the national territory or the insubordination of the officers to whom General Potter referred. The protest of General Fuero was not the only means used by Mexico on that occasion to cause her rights to be recognized. On the 22d of December, 1875, her minister plenipotentiary at Washington addressed a note to the Department of State, calling its attention to these occurrences, particularly to the fact revealed by General Potter, that the insubordination of the American officers was the cause of the last invasion. The minister pointed out the necessity of the adoption of more efficient measures for the prevention of military expeditions to the soil of Mexico, on the impropriety and serious dangers of which, to the harmony prevailing between the two nations, he did not need to dwell. This note received no reply from the Department of

State, although the act which gave rise to it renders still more grave the offense toward Mexico.

After this came another invasion, which, in view of the special circumstances attending it, was still more offensive than its predecessors; I refer to that of Colonel Shafter in April last, at Piedras Negras. This officer did not come in pursuit of savages or cat-e-thieves, nor did he come to demand the return of property stolen from American citizens, which had been the prettexts for the previous invasions. He came solely for the purpose of rescuing from the Mexican authorities two Mexican delinquents, who had committed an offense on Mexican soil, and who were on trial for that offense.

As soon as this ministry became aware of these facts, it instructed the Mexican plenipotentiary at Washington to present a reclamation, asking that the guilty parties might be punished, and that the necessary guarantees might be given for the future. Our representative consequently addressed a note to the Department of State on the 28th of April last, denying, in the first place, that the American officer who had invaded Mexico had received any permission from the local authorities to enter Mexican territory, which permission was appealed to as a pretext to justify the invasion. In the same note it was said that even if such permission had been given, it would never sanction the outrages done to the republic at Piedras Negras, in endeavoring forcibly to rescue two Mexicans, charged with a crime, from the hands of the Mexican authorities; it was stated that not only was this a violation of the territory of the republic, but a direct insult to the authorities; finally the punishment of the guilty parties was demanded and the adoption of the necessary measures to prevent the repetition of similar acts. On the 1st of May the Department of State acknowledged the receipt of this note and said that it would ask for information as to what had occurred. The Government of the United States has made no reply to any one of all these reclamations.

One circumstance, remarkable on more than one account, is to be considered in this last invasion. J. H. Taylor, adjutant-general of the Department of Texas, addressed a note to the governor of Coahuila, in which he inclosed a telegram from the brigadier-general-in-chief of the United States troops in Texas, in which telegram it is said that the injuries done to the arrested Mexicans, who served as guides to the American troops in the pursuit of the Indians, which pursuit took place with the consent of the *de facto* commander of the Mexican troops in the district, could only be considered as a declaration of a desire on the part of the then governor to co-operate with the savages in their depredations on American territory, and that he would so state to the President.

The governor replied to this strange notification, saying that he thought it improper for him to enter into explanations concerning his conduct with a foreign officer with respect to an act (the arrest of the two Mexicans) for which he was authorized by the laws of the republic, either on account of the territory in which it was executed, or on account of the persons responsible for it; that only out of courtesy, and in defense of the dignity of Mexico, he confined himself to saying that no permission had been given for the invasion of Lieutenant-Colonel Shafter, and that the arrest in question was made for acts which must be tried by the courts of the republic alone. He added that it was required by his dignity and for his justification that he should energetically repel the insulting assertion that the government of Coahuila encouraged the savages to invade American territory, whereas the Mexican authorities had at all times endeavored, with solicitous zeal, and at the cost of heavy sacrifices, to pursue the savages as enemies of mankind.

It is readily seen that the attempt was made, by means of that notification, to seek a pretext to justify the invasion. That object, however, was not realized. Unfounded as is the statement that any of the authorities ever granted permission to do what was done at Piedras Negras, these acts cannot be justified in any way, and the charge made against the governor of Coahuila being an unjust one, neither could he, even if it were true, have authorized the proceeding of Lieutenant-Colonel Shafter. Without demonstrating that international law does not permit the invasion of a foreign territory, even under pretext of punishing a delinquent who has taken refuge there, it will be sufficient to make this assertion; and, in order to sustain that even an infraction of any article of the treaties does not authorize any aggressive act between the two republics, it will be sufficient to copy the words of article 34, stipulations 2 and 3 of the treaty of April 5, 1831. They are as follows:

"2d. If one or more citizens of either of the parties shall infringe any article of this treaty, he shall be personally responsible therefor; but the harmony and good understanding shall not, for that reason, be interrupted between the two nations; to which end both parties pledge themselves not to protect the aggressor, nor to sanction such an infraction.

"3d. If any of the articles of this treaty should, unhappily, be violated or infringed in any way, it is hereby stipulated that neither of the contracting parties shall order or authorize reprisals of any kind, or declare war against the other on account of complaint of injury or damage, until the party considering itself aggrieved shall have pre-

sented to the other a report of the injuries or damages, accompanied by due proof, and shall have asked that justice be done in the matter and satisfaction given, and until this shall have been denied or unreasonably delayed."

As the assertion has been frequently made, in justification of the invasions of Texas, that our citizens and the local authorities on the frontier protect the cattle thieves and Indians, let it be allowed once for all to protest against this assertion, quoting those words of the treaty to show the right which Mexico has to oppose invasions which are based on such grounds.

On the 23d of May last the minister plenipotentiary of the United States had a conference with the present secretary of foreign relations, the principal object of which was to discuss the last invasion. That plenipotentiary then said that he had received instructions from his government to deliver to that of Mexico a copy of the telegram of April 3, signed by General Ord, (the same that Adjutant-General Taylor transcribed to the governor of Coahuila,) presenting that document as a justification of the conduct of Lieutenant-Colonel Shaffer. The undersigned secretary said in reply, that he already had knowledge of that document, and that it could in no wise justify the invasion of Piedras Negras, giving, at the same time, the reasons above indicated. He added that said telegram, together with other documents relative to the matter, had already been sent to the Mexican legation at Washington, and that he had been ordered to insist upon the reclamation which he had been instructed to present from which reclamation the Mexican Government expected the satisfaction which was justly its due. Before any was given, the order of the War Department of the United States, bearing date of the 1st of June last, was published in the newspapers of that republic. This was addressed to General Sherman, and directed him to give instructions to General Ord to act according to his own discretion in the case referred to, in the pursuit of bands of thieves, and to authorize him to enter the territory of Mexico, to apprehend and punish them, and "to recover the property of our citizens," says the order, "which he may find in possession of Mexicans on the other side of the river." To that order the Mexican Government replied by one of the 18th of the same June, issued by the ministry of war, and addressed to General Treviño. The honor of the republic imperiously demanded what was therein contained, because the instructions given to General Ord are offensive to Mexico and in contravention of the international pledges between the two republics.

During the past month of June the same minister plenipotentiary of the United States had various other conferences with the secretary of foreign relations, in which reference was made to the difficulties on the frontier, and particularly to the order communicated to General Sherman. The plenipotentiary sought to justify the instructions addressed to General Ord, on account of the charges made against Mexico, to the effect that she was powerless, or had no disposition to pursue the thieves. The undersigned minister, from a sense of duty, and inspired by the most profound conviction, answered those charges; he showed those instructions to be contrary to international law and to the treaties in force between the two nations, and sustained the policy of the Mexican Government. The substance of the discussions held in those conferences in regard to this matter is given in the memoranda and notes which have already been published.

Among the reasons with which the present secretary of state defended Mexico, there is one which must not be overlooked. For the special purpose of settling the frontier difficulties, to demonstrate with facts that the present government has the will and the power to effect that settlement; it sent a plenipotentiary to Washington with powers *ad hoc* and the necessary instructions, whose principal mission is to propose the measures which, in the judgment of the Mexican Government, are necessary to settle those difficulties practically and satisfactorily, and to take care of the frontiers in a special manner until the two governments may be able to agree upon the most fitting, radical, and permanent measures to reach that settlement; it re-enforced the troops which it already had in that section, sending, in addition to this, an officer of a high grade in the army to make a practical examination of the military question on the frontier, that it might avail itself of his reports in the settlement of said difficulties.

But when the Mexican Government hoped, in view of this fact, which triumphantly answers the charges against Mexico, that the motives or pretexts to continue invading the national territory would entirely cease, it has been pained to see that, toward the close of June last, the same Lieutenant-Colonel Shaffer again violated the territory, repeating the offensive acts, and, in spite of the protests which the republic has so long been making, and although the government has ordered a new protest to be made for this new offense, as none of those hitherto made has been sufficient to secure the rights of the republic, it has deemed it to be its imperative duty to consider this most serious question, not referring it simply to isolated facts, but examining it in all its transcendancy and looking at it in its entirety, in order thus to present it to the consideration of the Washington Cabinet.

Many and of various kinds are the reasons which have been alleged by the United States for invading the territory of Mexico. The supposed powerlessness of Mexico to

fulfill the stipulations of the treaties; the right which is claimed by the United States to make amends for that powerlessness; the unfounded accusation of connivance on the part of the citizens of Mexico and the local authorities of the frontier with the thieves and the Indians; the protestations that the invasions are not hostile to Mexico, inasmuch as their object is only to punish criminals, and other pretenses of less importance, although more offensive to Mexico, like those invoked by Governor Coke, have at various times been presented as grounds for the invasions which Mexico has suffered. Can these alleged motives serve as a reason for them in the light of international law and of the treaties now in force? This is not the first time that the United States have claimed to assume the right to invade Mexico, alleging the powerlessness of the republic to fulfill its international duties. Even before the treaty of 1848 was concluded, and when article 33 of that of 1831 was in force, it was alleged that that article rendered it obligatory upon each of the two countries to prevent by force any hostile incursions of Indians into the territory of the one from that of the other, and that, if Mexico could not fulfill that stipulation, the United States had a right to invade Mexican territory in pursuit of Indians.

Although that article was afterward abrogated, and the eleventh article of the treaty of Guadalupe Hidalgo made it the duty of the United States only to prevent the invasions of Indians on both frontiers, and although, finally, the second article of the treaty of December 30, 1853, abrogated those two articles, the same arguments are still used against Mexico, as if the legal foundation on which it is pretended to have them were still in force. In the order of June 1, issued by the Department of State, are these words: " * * * * "In like manner he will inform said authorities (those of the frontier) that if the Government of Mexico continues to neglect its duty to prevent these outrages (the incursions of cattle-thieves) this government will assume the performance of that duty, and, if circumstances render it necessary, will send our forces across the Mexican frontier."

The grounds of these arguments are entirely false. Article 33 of the treaty of 1831, although it made it the duty of Mexico to repress Indian incursions, never gave the United States the right to invade Mexican territory in case that duty should be neglected. On the contrary, the context of the treaty shows that both nations absolutely reserved their territorial rights without compromising them in any manner whatever. That instrument, moreover, contains explicit clauses providing that neither the neglect of that duty, nor the failure to fulfill any stipulation, shall ever authorize aggressive or hostile acts between the two countries. Article 34, stipulation 3, of the same treaty, which provides that the infraction or violation of one of its articles shall authorize no reprisals and no aggressive act on the part of the other nation, but that it obliges the offended nation to present a statement of the injuries or damages which it has suffered, in order to ask corresponding satisfaction of the offender, without being at liberty to resort to hostile or aggressive acts, save when such satisfaction is not given, is the most convincing proof that the United States have not had the right which they claim. And if this observation is unanswerable, referring to the time when the aforesaid article 33 was in force, when it is applied either to the time when the right was on the side of Mexico, and the duty on that of the United States, or to the present circumstances, under which the aforesaid article is expressly abrogated, the same observation acquires a degree of evidence which is really incontrovertible. If it be considered, moreover, that article 21 of the treaty of February 22, 1848, corroborating the precept of the thirty-fourth article, stipulation 3, of that of 1831, expressly prohibits that, in case of difference or disagreement between the two governments, "recourse shall be had to reprisals, aggressions, or hostilities of any kind," until they have exhausted the peaceful and reasonable means spoken of, it will be clearly seen that what the United States have invoked as a right, taking upon themselves the duty which, in their judgment, Mexico cannot perform, is in reality but an evident violation of the treaties.

That so-called right, when viewed in the light of international law, appears no less groundless. The sovereignty of nations is incompatible with the arbitrary invasion of their territory by another power, and to admit the right which the United States pretend to have would be equivalent to acknowledging that every nation had the same right to invade the territory of its neighbor, without taking any trouble save to claim the necessity of so doing, and of pretending that the neighboring nation could not or would not fulfill its international duties. Such a right would become a constant menace to the sovereignty and independence of nations; it would be a denial of all the rules of justice which govern civilized nations. As soon as that right should be recognized, the independence of nations would be at the mercy of the caprice or audacity of the strongest.

Neither is the basis a true one on which the theory is founded which it has been sought to apply to Mexico, viz, its powerlessness to repress the incursions of thieves and Indians. A great deal might be said on this subject, consulting from their origin the history of the bloody Indian wars, assigning to them their historical cause, and narrating how, even under the compromise of article 11 of the Treaty of Guadalupe,

on account of the neglect of the American frontier, those Indians penetrated as far as the central states of the republic, which found it necessary to use its troops to repulse and drive them from its soil; recounting, finally, how during the war for secession the United States not only abandoned their frontier, but even the reservations of the Indians. All this would go to show that the United States have no ground for the charges which they prefer against Mexico; but, besides lengthening this note too much, this would seem to imply a desire on our part to enter into recriminations, whereas, seeking a settlement satisfactory to both nations, the Mexican Government is especially anxious to avoid anything of that kind. To show that Mexico has not been powerless in Indian warfare, it is sufficient to refer to the innumerable campaigns which she has carried on against them, and her constant persecution of those enemies of civilization; and not to speak of past times and occurrences, and only to show that she now has the power and the will to repress the incursions of Indians or cattle-thieves, two facts speak louder than any words, viz, the establishment of sufficient forces on the frontier to take care of it as it is possible under present circumstances, and the sending of a minister to Washington to propose suitable measures for the settlement of the pending difficulties.

It has been asserted on various occasions that the citizens of Mexico encourage and favor the crimes committed on the frontier, thus becoming the accomplices of the thieves and Indians; it has also been stated that the local Mexican authorities share in their complicity; and in these assertions, so insulting to the republic, a pretense has been made of finding justification for the invasions of Mexican territory which have taken place. There is still less ground for this reason than for those previously mentioned. Article 34, stipulation 2, of the treaty of 1831, copied in another part of this note, shows that these invasions are not lawful under such a pretext. And the entire extradition treaty of December 11, 1861, from its first to its last word, is the most complete demonstration that neither of the nations has consented to relinquish its territorial rights by permitting its territory to be invaded in the pursuit of marauders and for the recovery of stolen property; the invasions made upon this ground are shown to be unjustifiable according to the treaties, and it is unnecessary to demonstrate that they are likewise condemned by the law of nations.

The protestations which have repeatedly been made by American officers, to the effect that entrance into the territory of Mexico in order to pursue and punish criminals implies no hostility to the republic, satisfies neither the honor nor the rights of the latter. The act of invasion constitutes in itself an offense which aggravates the circumstance of exercising jurisdiction on a foreign soil against the will of its sovereign, and no manifestations of friendship are sufficient to change these facts, by representing them as lawful according to international law. These invasions, when forcible, are condemned by the law of nations, and Mexico can regard them but as offenses, however much it is protested that they are not so.

Moreover, the republic has suffered invasions, like that of April last, when the object was not to pursue, but to protect criminals, so that, as to such, not even these protestations are possible.

The foregoing cursory remarks as to the motives invoked by the United States to invade the territory of Mexico are sufficient to show the justice which is on the side of Mexico in opposing such invasions, and in regarding them as offenses. These remarks might be greatly lengthened with a view to increasing the force of the reasoning which they are based, and of upholding the authority of the international principles which sustain that reasoning; that task, however, becomes useless from the moment when the United States Government accepts those principles, and supposing the views of both governments to be in harmony as regards them, all that could be said on this subject would be superfluous.

On the 7th of July last the minister of the United States, in pursuance of instructions from his government, presented a reclamation against Mexico, the ground of which was that the territory of the United States had been invaded by a Mexican force which had crossed the frontier in pursuit of a party under command of Pedro Valdez.

According to instructions received from the Department of State, that minister left at this department a copy of the note of the honorable Secretary of State to Mr. Foster, of the 21st of June previous, in which it is ordered that said reclamation be made. Mr. Evarts says, in the aforementioned note, that the entrance of Mexican troops into the territory of the United States is a violation of that territory, of which complaint must be made without loss of time; adding, "although it is not probable that that invasion was made by order of the Mexican Government, it is nevertheless a grave violation of international law, which should not be tolerated for a single moment," and concluding by instructing the minister to inform the Government of Mexico that "that of the United States confidently hopes that this act will be disavowed, reparation made for its consequences, and its perpetrators punished."

The present secretary of foreign relations, as soon as he had knowledge of the contents of these documents, replied, on the 9th of the same month, that "The Mexican Government, far from having given orders for the invasion of the territory of the

United States, had expressly prohibited it, as might be seen by his dispatch of June 18 to General Treviño; that knowing that international law prohibits the entrance of troops into foreign territory without the consent of its sovereign, and inasmuch as he had proclaimed and sustained this principle when Mexico was concerned, he could not ignore it when invoked by the Department of State;" and he added still more explicitly, that "the government accepts, recognizes, and will cause to be upheld, so far as it is concerned, the principles invoked by the Hon. Mr. Evarts in his dispatch, and it will conform its conduct thereto, regarding the passage of troops to foreign territory as an unjustifiable invasion, and as one which is condemned by international law." He therefore promised to have the parties who were responsible for the invasion brought to trial, and to make all due reparation.

After these solemn declarations, made by the two governments, and in view of that conformity of opinions concerning the principles which govern the matter which is the subject of this note, it would be useless to undertake to demonstrate that the crossing of troops to a foreign country, without permission from its government, whatever may be the pretext invoked, is a grave and unjustifiable violation of international law, as Mr. Evarts says. And it would be necessary for sovereign nations not to be equal according to international law if the United States could even assert that the precepts of that law which they claim for themselves were not applicable to Mexico.

But Mexico, out of regard to her own dignity, will never consent to that, and the United States, out of regard to their own reputation for justice, will never claim it.

The explicit declarations of honorable Secretary Evarts with regard to those principles of international law leave no room for the pretexts under which the territory of Mexico has hitherto been invaded. Those principles having been once recognized and accepted by both governments, they must act in accordance with them, without appeal, if they are to observe a course of conduct contrary to motives which are, all things considered, but a denial of the aforesaid principles, and as Mexico has not hesitated for a moment to reprimand the perpetrators of an invasion of United States territory, having them brought to trial, and offering due reparation therefor, it cannot and should not be doubted that the United States will act in the same manner, in accordance with the principles laid down by Mr. Evarts.

When, in the same conference of July 7, the United States minister also left at this department a copy of the dispatch from the War Department, dated June 13, with its inclosures, from which documents it appears that the President of the United States restricted General Ord's discretionary power to invade Mexico, authorizing him to cross the frontier in grave cases only, the minister of foreign relations stated, in the conference of the 9th, to the representative of the neighboring republic, that the Mexican Government considered that restriction as a recognition of the rights of Mexico, but, he added, "important as it is, it is not sufficient to leave the autonomy of the republic intact, since the invasion of the territory of a friendly nation by foreign troops without the consent of its sovereign is always a violation of international law * * * * * that in the instructions lately communicated to General Ord, notwithstanding their limitations, the order to invade Mexico in 'grave cases' is still maintained, and the government of the republic thinks that exception is not authorized by the law of nations, and it therefore trusts, in view of the sense of justice of the United States, that the orders given to invade the republic will be entirely withdrawn."

The government must insist upon this, because even after the limitation of General Ord's instructions the last invasion of Lieutenant-Colonel Shafter took place, and because it is not aware that those instructions have been modified in such a manner as not to be offensive to the republic. The government presumes that the last invasion, which took place on the 29th of June, and was therefore subsequent to the dispatch sent by Mr. Evarts to Mr. Foster on the 21st of that month, was made without the consent of the Washington Cabinet, because otherwise the contradiction between the principles proclaimed in that dispatch by the honorable Secretary of State and the conduct of Lieutenant-Colonel Shafter would be inexplicable. And if the failure of the Washington Cabinet to reprove the conduct of General McKenzie in 1873 constituted, in the opinion of Governor Coke, a legal precedent which authorized the invasions of Mexico, the upholding of those instructions would be a menace to its sovereignty, and a denial of the principles of international law professed by the Department of State. The efforts of the government of the republic are designed to avoid this danger and the serious consequences which it might involve.

This government is performing a high duty in seeking, in the most sincere and earnest manner, to allay the differences which present themselves, and to preserve the state of peace and friendship which now exists between the two countries, using for this purpose peaceful representations and negotiations, and this with the greater reason, inasmuch as the Government of the United States has made a solemn profession of the principles which Mexico has been upholding in defense of her sovereignty, and in virtue of which she asks reparation for the offenses of which she complains. The Mexican Government appeals to the sentiments of justice of the Government and people of the United States, hoping that the rights of the republic will be recognized and respected.

Bring the contents of this note to the knowledge of the honorable Secretary of State, sending him a copy of it, and communicating to this department the reply which shall be received.

Accept the assurances of my attentive consideration.

VALLARTA.

To the Citizen CHARGÉ D'AFFAIRES

Ad interim of Mexico in the United States of America, Washington.

No. 37.

Mr. Seward to Señor de Cuellar.

DEPARTMENT OF STATE,

Washington, September 18, 1877.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, accompanied by a communication from Mr. Vallarta, of Mexico.

In reply, I have to state that, although official relations have not yet been established with the authority represented by Mr. Vallarta, I take pleasure in saying that the whole subject to which your communication relates will receive due and careful consideration.

Be pleased to accept the assurance of my high consideration.

F. W. SEWARD,

Acting Secretary.

Señor DON JOSÉ T. DE CUELLAR, &c.

No. 38.

(Handed to Mr. Evarts by Señor Mata, October 6, 1877.)

Señor Vallarta to Señor Mata.

[Translation.]

MEXICAN REPUBLIC, MINISTRY OF FOREIGN RELATIONS, SECTION OF AMERICA, NO. 126.

Extradition of assaulters of the jail of Rio Grande City.

MEXICO, *September 10, 1877.*

I have read to the President of the republic your note, number 87, dated the 23d of August last, in which reference is made to the interview which you had with the Assistant Secretary of State in regard to the assault on the jail of Rio Grande City.

The President has agreed to recommend that at the first opportunity you will notify the Government of the United States that the Government of Mexico has already given positive orders that all the offenders implicated in that act, who are asked for by the American authorities, shall be given up. You will inform the Secretary of State, in the clearest and most explicit manner, that in ordering the surrender of said offenders without being obligated to do so by treaties, when the giving up of the Mexicans is solicited, it has only been done on account of the

exceptional circumstances of the case, and in order to give incontrovertible proof of the firm and sincere wish which animates the present administration to put an end to the troubles on the frontier; but that this new surrender is not to serve as a foundation for the conduct of Mexico in all the cases which may happen hereafter, nor to be cited as a legal precedent, inasmuch as it has been an entirely voluntary act on the part of the government of the republic, to which it has not been obligated by treaties, but only moved to it by the considerations stated.

As in the note to which I am replying you signify that you entertain a doubt as to the existence in Mexico of laws to try and punish crimes committed in foreign territory, I deem it not amiss to refer you to articles 186 and 187 of the penal code, which treat of this matter.

I assure you of my particular esteem.

VALLARTA.

Citizen MINISTER PLENIPOTENTIARY OF MEXICO,
In the United States of America, Washington, D. C.

[Inclosure in No. 38.—Translation.]

ARTICLE 186.

Crimes committed in foreign territory by a Mexican against Mexicans, or against foreigners, or by a foreigner against Mexicans, can be punished in the republic and in conformity to its laws, if the following requisites concur :

1. That the accused is in the republic, either because he has come voluntarily, or because his extradition has been obtained.

2. That if the injured person should be a foreigner, there shall be complaint on the lawful side.

3. That the offender shall not have been tried definitively in the country in which the crime was committed ; or that, if he was, he has not been acquitted, amnestied, or pardoned.

4. That the offense of which he is accused shall have the character of a crime in the country in which it was committed and in the republic.

5. That conformably to the laws of these he shall deserve a more serious penalty than that of imprisonment.

ARTICLE 187.

In the case of the preceding article, if an offender tried in a foreign country should make his escape, there shall be imposed on him in the republic the penalty which the laws of the latter prescribe, allowing him always for what he may have suffered of the penalty imposed on him in the foreign country.

CONSULAR.

No. 39.

Mr. Wilson to Mr. Hunter.

No. 274.]

CONSULATE OF THE UNITED STATES,
Matamoras, March 9, 1877. (Received March 19)

SIR: Referring to my telegram to the department of the 6th of July last, in which I requested that the military authorities at Fort Brown, Texas, might be authorized to interfere to protect lives and property in this city, in case Cortina, who was then menacing it with a considerable force, should make an attack, and in consideration of which telegram I presume that the United States gunboat Rio Bravo has remained moored

to the river-bank in front of this city since that time, I have now to state that as the force of Cortina has been disbanded, and Cortina himself is a prisoner under sentence of death, in the hands of the military authorities of this frontier, the further presence of the Rio Bravo at this place has perhaps ceased to be necessary.

As the expenses of that vessel are doubtless increased by being at a foreign port, I have to respectfully suggest that the public interests do not, in my opinion, require that the vessel should remain here longer, and perhaps interferes with the more general object for which it was sent to the Rio Grande, which I understand was to co-operate with the United States military force stationed on the Texas border in suppressing cattle-raids across the river.

I am, &c.,

THOMAS F. WILSON.

No. 40.

Mr. Schuchardt to Mr. Hunter.

No. 185.] COMMERCIAL AGENCY OF THE UNITED STATES,
Piedras Negras, Mexico, May 14, 1877. (Received May 24.)

SIR: I have the honor to state that this day (May 14) I have directed to you the following telegram:

This place is held at present by the rebels, (Diaz,) who have shown ever since hostility to our country by openly protecting Indians and thieves depredating on the Texas frontier. I am informed that the rebel authorities will make a demand on the judge of the twenty-fourth judicial district, holding to-day court at Eagle Pass, for the extradition on fictitious charges, of officials and others of the legitimate Government of Mexico, and at present refugees on the Texas side. The judge of the twenty-fourth judicial district, to-day, at Eagle Pass, on my explanations, stated that if these rebel authorities, which he recognizes as representatives of the government *de facto* of Mexico, would make the demand for extradition in due form, he was obliged, under the treaty, to extradite these men. As the extradition of these men to the rebel authorities will result in their death, and this section of the country will be in a few days in the possession of the legitimate Government of Mexico, I respectfully request, in the name of justice and humanity, that instructions be sent immediately to the judge of the twenty-fourth judicial district, now at Eagle Pass, to suspend the extradition of Mexican citizens now in the United States, demanded by the local rebel authorities at Piedras Negras.

Last week four Americans accused of various crimes committed in Texas were arrested here, their arrest being caused by the Texas State police, and their extradition to the United States under the treaty between the United States and Mexico demanded by the judge of the twenty-fourth judicial district of Texas, and to obtain the extradition of these American criminals the Texas authorities made promises to the Mexican authorities (Diaz) to gratify their wishes by turning over to them some Mexicans now on the Texas side the Mexican authorities would designate as criminals, if the demand was made in due form and the crimes these men were accused of came under those expressed in the treaty of extradition.

There are at present only Mexican citizens living as refugees in Eagle Pass, Tex., who had taken up arms in defense of the legitimate government, and to escape the continual persecutions by the Diaz officials have sought refuge in the United States. The real criminals formerly on the Texas side are all in the files of the Diaz party; at present in power here, one of them being an alcalde at Zaragoza, who gives passports to the Indians to raid in Texas, and another is a commandante who does the raiding to Texas himself. These kind of men are the masters of the

situation at present, who try to fix false charges on men a great deal better than they themselves for the purpose to get them in their power to have revenge to their gusto.

One of these refugees now on the Texas side was gefe politico and military commander of this district during the time it was held by the Lerdo administration, and in his official capacity he always showed himself in all respects friendly to the American people and their interest by making efforts to stop the depredations by thieves, and to effect this better he even allowed the American troops to pursue the Indians into their dens on the Mexican side, whilst the present gefe politico of the Diaz party protects these raids of thieves and Indians into Texas by allowing his alcalde to give passports to the Indians, and never prosecutes the thieves when they return with plunder from Texas, although notified of the fact. Whilst the gefe politico of the Lerdo administration consented to the crossing of the United States troops, the Diaz gefe politico's first act was to arrest the Mexican guides who had served the United States soldiers to find the dens of the murdering Indians in the Mexican mountains, on the charge of being traitors to their country.

When I was informed of the intention of the Diaz authorities to demand some of these refugees, adherents of President Lerdo, I went at once to the Hon. Thomas Paschal, judge of the twenty-fourth judicial district of Texas, to inform him of all the facts above stated in detail; but he stated to me that he had to recognize the Diaz officials at Piedras Negras as representatives of a *de facto* government, and was obliged to comply with their demand for extradition of Mexican citizens, if the papers were made out in due form and the crimes therein stated were comprised in the treaty; that he had no right to question the veracity of the charges made in the papers against the persons they would make a demand for.

This determination of Judge Paschal made me apprehend great danger for the lives of innocent men, and I thought it my duty to advise you immediately by sending the above telegram.

I am, sir, &c.,

WM. SCHUCHARDT,
United States Commercial Agent.

No. 41.

Mr. Weber to Mr. Hunter.

No. 14.]

CONSULATE OF THE UNITED STATES,
Monterey, Mexico, June 30, 1877. (Received July 23.)

SIR: Respectfully referring to my last dispatch, No. 13, dated June 27, I have the honor to inform you that General Geronimo Trevino yesterday returned to Monterey from his inspection tour of the Mexican Rio Grande line, between Laredo and Piedras Negras.

During an interview I had with him this morning, he emphatically expressed to me his feelings of vexation and disapprobation of the course lately pursued by the editor of the *Periodico Oficial*, in writing the editorial, No. 56, mentioned in my previous dispatch, offering me at the same time, as a proof of his sincerity, to have the editor dismissed at once.

General Trevino also manifested to me his great gratification about

the satisfactory meeting he had lately at Eagle-Pass, Texas, with General Ord, and he assured me that he felt confident that all pending border difficulties would be completely arranged amicably at an early period. He also informed me confidentially of his determination to have the remaining Indians removed from the frontier as soon as possible.

It seems he fully comprehends the urgent necessity of putting an end to the cattle-stealing on the Rio Grande.

I have, &c.,

JOHN WEBER,
United States Consul.

No. 42.

Mr. Schutz to Mr. Hunter.

No. 13.]

UNITED STATES COMMERCIAL AGENCY,
Paso del Norte, Mexico, July 13, 1877. (Received July 31.)

SIR: I have the honor to report the following:

On Sunday evening, July 8, five Texas cattle-men and one Mexican, all armed with the latest improved carbines and pistols, crossed the Rio Grande, some three miles below the plaza of El Paso, and went into camp for the night, having first informed the mayor of El Paso of their presence and peaceful intention. About daybreak Monday morning they were all arrested by the authorities, and after being deprived of their horses and arms, were placed in jail, it being charged that they were filibusters, besides murderers and horse-thieves. Soon after their arrest I was applied to to assist them in procuring their release and restitution of their property; and after three days' hard labor, and none of the charges being proved against them, I succeeded in procuring their liberty and property, with the exception of the horse rode by the Mexican, and his arms, it being claimed that his horse was stolen from somebody in Mesilla, N. Mex., and it would therefore be held until the supposed true owner could be heard from.

Although I succeeded to restore these men to liberty, and to get all their property back, the authorities of El Paso politely informed me that, while all due respect would always be shown to American officials, they could not recognize my official authority until I had been duly acknowledged by their government, but that my success in this case was solely due to my personal influence and good standing with the citizens of El Paso, Mexico.

Since writing the above I have ascertained that the horse claimed to have been stolen, and which was retained by the Mexican authorities, belonged to a Don Juan José Durant, in Mesilla, N. Mex., from whom it had been stolen about two weeks ago.

I am, &c.,

SOL. SCHUTZ,
United States Commercial Agent.

MISCELLANEOUS.

No. 43.

Mr. Schleicher to the President.

WASHINGTON, D. C., May 7, 1877.

SIR: I have the honor to submit to you some of the samples of the correspondence daily received by me from my district, showing the state of things on the Mexican border. I have heretofore had the honor of submitting to you a report made by me as chairman of a special committee on this subject to the Forty-fourth Congress, giving an account of the raids on the Lower Rio Grande, between Laredo and Brownsville, from the end of the war until the date of the report. The evidence accompanying said report is very complete, and it also contains the diplomatic correspondence had for years with the Mexican Government on that subject.

About the time when the report was made there was a lull in the raids, caused by the fact that General Porfirio Diaz made up his revolutionary army on that border, and enlisted in it the great mass of that turbulent population. Since that time the raids have become more frequent again, and of late their chief theater is on the Upper Rio Grande, in the neighborhood of Eagle Pass, and in the country between San Antonio and the Rio Grande. The tribe of Indians known as Lipans and also the remnant of the Kickapoo Indians are settled in Mexico, and have in former times harassed our frontier country, until General Mackenzie, in command of the Fourth Regiment of Cavalry, pursued them into their settlements, killed a number of them, and secured for our frontier, in that quarter at least, several years of peace, during which the settlements increased and were very prosperous.

It seems that the effects of that punishment are now passed and forgotten, and the Indians are again engaged in raiding and robbing as a regular business. Now, however, a new feature appears in the raids. While they were always countenanced and assisted by the Mexicans, who are really the beneficiaries of their robberies, getting the stolen horses, mules, and cattle for a mere pittance from the Indians, it seems that now the Indians are commanded and employed by Mexicans and officials representing the authority of the Diaz government. This will appear from an extract of a letter of Mr. Schuchardt, an excellent gentleman living in Piedras Negras, whose statement I do not hesitate to vouch for. He gives the name of one Santos Garcia, belonging to the party now in power, alcalde (judge and mayor) of Zaragoza, as the official who gives passes to the Indians raiding into Texas, to be used by them on the Mexican side of the river.

I inclose extract from his letter, marked "A."

The Mexicans who direct the Indian raids always have their spies in Texas, who keep them well informed about the whereabouts of the troops. Thus they come in always unperceived, gather rapidly all the horses they can get, leaving the owners afoot and unable to pursue them, or to ride or send after help. By the time the raid is known they are on their way home, generally beyond pursuit. From this it follows that watching for them is almost useless, and that pursuit, if necessary into their dens, is the only efficient defense for our country.

The Diaz officials, and, indeed, the whole dominant party, exhibit

now an exceedingly hostile feeling to our people. General Escobedo, the military chief of Lerdo's party, has lately been in San Antonio and through Western Texas, and our resident Mexican population received him with much enthusiasm. The Spanish papers published in San Antonio took part for Lerdo, and the conclusion drawn from this by the friends of Diaz on the Mexican side is that our people and government favor Lerdo. This embitters them, while Lerdo's partisans in Mexico delight in fomenting quarrels between the Diaz men and the Americans.

For eleven years these raids, sometimes in one quarter sometimes in another, have been going on. Impunity has always had the effect of stimulating them and increasing their proportions. The only efficient check they ever received was when General Mackenzie followed and punished them. Our national diplomacy never seemed to consider the protection of our citizens of much consequence, and has always in that quarter at least borne insult and injury with singular equanimity. As to the action of Congress heretofore, I have myself made the humiliating experience that members opposed energetic steps in defense of our frontier for no better reason than that the administration might make political capital of the authority proposed to be given.

It seems that our people look to your administration with renewed hope. Their national pride has been long and deeply humiliated, while their property and lives were at the mercy of an enemy despicable in all but his power to harm them. They long for the day when the promise of protection implied by the sight of their nation's flag on the border will be more than a cruel mockery to them and an object of contempt and derision to our robber neighbors.

In conclusion, I may be permitted to say that on a frontier line separating us from a turbulent population, controlled by no government, but simply a conglomeration of robber villages, it becomes the duty as well as the right of our government to protect and defend our own people against invading robbers, and that all steps *incident and necessary* to an efficient defense are more than justifiable.

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

His Excellency RUTHERFORD B. HAYES,
President of the United States.

[Inclosure 1 in No. 43.]

[From the Galveston News.]

FROM SAN ANTONIO—INDIAN AND MEXICAN RAIDERS—WHAT WILL WE DO ABOUT IT?

[Correspondence of the News.]

SAN ANTONIO, April 28, 1877.

When we remember the number and wide extent of the settlements west of this city, is it not passing strange that a raiding party of thirty-five Indians, Mexicans, and bad thieving white men can penetrate within 50 miles of this city, and steal all the horses nearly in the circle of their march and yet escape apparently "scot-free"? New Fountain, one of the settlements just raided, is only 18 miles west of Castroville, whence your correspondent has just returned. It is a most populous and prosperous neighborhood, resting immediately on the great highway between San Antonio, Fort Clark, Fort Duncan, and other important United States military posts.

Let us have more of Uncle Sam's cavalry out on this Western border. These Indians, Mexicans, and thieves come no doubt from west of the Rio Grande, and we need more patrollers to discover trails and strike them ere they strike the hardy, industrious settlers.

Thousands of families are scattered all through this fine country. But no man's life is safe, nor that of his family, so long as the present lack of protection to life and property exists. Let the powers that be put forth their strength and squelch it at once and forever.

If there is no other means by which we can protect our own people than through a protectorate over Mexico, then, in the name of all that is good, let us protect Mexico and ourselves too. Colonel Shafter reports the troops and the rangers as being after the Indians, who are said to be marching rapidly toward the Rio Grande in a southwest direction. But this is too much like the old story of locking the stable-door after the horse was stolen. With sufficient United States cavalry, performing constant patrol duty along the line of military posts, these raiders could never hope to invade Texas, rob, steal, and murder, and escape with their plunder and lives.

It is supposed that the raiders have in their possession over 300 head of stolen horses, taken from the adjoining settlements of Quihi, Hondo, New Fountain, and D'Hanis. This all within a range of fifty to sixty miles of this city, with its 20,000 inhabitants. Cannot President Hayes assert some respectable power to stop this invasion of the rights of American citizens? In the name and rights, yea, sacred rights, of American citizens, we demand to know what the Federal Government proposes to do about these continued raids from the other side of the Rio Grande? Should Congress meet in extra session, let the members from Texas press this question home to an answer.

A number of articles from San Antonio papers give particulars as to persons killed.

[Inclosure 2 in No. 43.]

[Telegram.]

FORT CLARK, TEX., April 24, 1877.

TO TAYLOR, A. A. G. D., Texas, San Antonio, Tex. :

The following dispatch received yesterday from Castroville: Party of thirty-five Indians and Mexicans raided through Quihi, Hondo, and New Fountain last night, carrying off two hundred head of horses. Trail moving southwest; crosses line eight miles below here. Immediately upon receipt of this dispatch Lieutenant Stephenson, with forty men, has been ordered to the Nueces, about sixty miles southeast of Duncan. Company B, Tenth Cavalry, is at Duncan, ready to start in any direction required. Orders were also sent to Lieutenant Van Vliet, in Frio Cañon, to go to D'Hanis, take the trail, and follow it. Rangers in Nueces Cañon and people at Frio City also notified. Three companies cavalry near here, one company at San Felipe, and Bullis, between mouth of Devil's River and Pecos, ready to start as soon as I can get definite information as to the point they are bearing for.

SHAFTER, Commanding.

Official :

T. W. TAYLOR.

[Inclosure 3 in No. 43.]

Letter from James Ware, district judge of the western district.

SAN ANTONIO, TEX., May 1, 1877.

HON. GUSTAVE SCHLEICHER, Washington, D. C. :

DEAR COLONEL: Having learned that your opinions upon frontier matters are respected by the present administration, and that your representations of occurrences are credited, I take the liberty to call your attention to the recent bold and disastrous raid made by a large body of Indians from Mexico through the counties of Kinney, Uvalde, Medina, Frio, Zavalla, and Maverick, passing out of Texas into Mexico with their captured property at a point between Eagle Pass and a village on the Mexican side called Villa Nueva, (or New Town,) having succeeded in getting together between 300 and 400 horses, and having committed some murders, how many I do not know; one man however was killed by them in the vicinity of Quihi, 9 miles from Castroville, and a boy, the son of a widow woman, on the Hondo, 12 miles from Castroville. We have not the details of the other murders.

In the pursuit by the citizens one of the Indians was killed and his body captured, placing the identity of the raiders beyond peradventure. This is the boldest raid that has been made in some three or four years, and the recently acquired confidence in the safety of that portion of the country through which they went, in Medina County, under the influence of which it was rapidly being settled, is destroyed.

This band of Indians numbered from forty to sixty. You will readily perceive how exceedingly difficult it would be to gather in our sparsely settled communities sufficient force of citizens to follow such a force, particularly when whole neighborhoods are left without a horse.

The only means of breaking these raids up is by breaking up their establishments beyond the Rio Grande. The local authorities of Mexico in the vicinity are certainly not disposed to do anything in the matter; and, whatever may be the disposition of their central government, I am afraid it is beyond their power to enforce any orders to restrain them and leave these Indians on that portion of the republic accessible to Texas. I can speak almost with a personal interest in this last raid, as, returning from Frio court, I barely missed them.

[Inclosure 4 in No. 43.]

Mr. Kearney to Mr. Schleicher.

GALVESTON, TEX., May 1, 1877.

DEAR SIR: I reached here this morning from San Antonio, and recently from the Rio Grande, where my sheep interest lies, and feeling that I have something more at stake than my bill for relief before Congress, which you so kindly promised to get through for me, permit me to call your attention for a moment to the present condition of the Rio Grande frontier. We are preyed upon daily by Mexican thieves, by American thieves, and by the various tribes of Indians, who rob us at their leisure and retreat across the Rio Grande, where they are as free from molestation by our troops or civil authorities as if neither power had an existence. Surely this is not protection; the system of pursuing raiders to the river and then stop is a farce and a mockery, so far as protection is concerned.

In a conversation I have just held with General Ord, the commanding general of this department, he deplures the condition of things on the frontier, and says that the only remedy is to hunt the thieves out of their dens of refuge in Mexico, and if the government would give permission for the troops to cross the Rio Grande for that purpose, he would put an end to these depredations in less than six months. It is a great mistake to suppose that the Army, or our frontier stock-men, desire war with Mexico, or a conquest of any portion of her territory. War would prove destruction to the interest of every stock man within a hundred miles of the Rio Grande, and I know the feeling of our gallant Army on the subject of war with Mexico, (I have conversed with many of its distinguished officers stationed on the frontier,) and that is to free the border from raiders of all classes; they feel a pride in accomplishing this, for they know that the country looks to them, and while we all know that not a sensible man among them desires war with our Mexican neighbor, they know unless they are allowed to follow the raiders to their final stronghold, their effort to exterminate or put an end to these vast depredations on our property will prove, as the present system has ever proved, a complete failure. It is a system under which foreign and domestic thieves flourish, and American stock-men daily perish; these are truths, and cannot be gainsaid, and it is time the government understood the matter.

We hold our lives and property at the mercy of raiders; the Army is powerless to give us protection or punish the thieves, simply because the government refuses to allow the troops to pursue the raiders across the Rio Grande.

In General Ord we have a vigilant and willing officer, in whose experience, prudence, and cool judgment in the discharge of his official duties the authorities at Washington are as fully aware of as we are here. If the government could be induced to give him discretionary power in this matter, we would soon have a border free from raiders, and in thus doing, our peaceful relations with our neighbor, Mexico, would be undisturbed.

We of the frontier look to you, my dear sir, to induce the government to allow General Ord to employ the Army, on this frontier, as his judgment and prudence under the circumstances demand.

I remain, very respectfully, your obedient servant,

THOMAS KEARNEY.

P. S.—I inclose a telegram to General Ord, from Colonel Shafter, commanding Fort Duncan; also a letter published to-day in the Galveston News.

[Inclosure 5 in No. 43.]

A.

Extract from a letter from William Schuchardt, at Piedras Negras, written before the last raid.

A short time ago the Lipans, under the leadership of Juan Galan, on returning from a raid into Texas, broke through the fences of the village la Resurreccion, carrying with them a large drove of Texas horses. The people of the Resurreccion complained to the gefe politico, who sent an officer, Victor Perez, with twenty men to the Indians to inquire into the cause of their breaking the fences.

Juan Galan explained that they had been "muy apurados," (much pressed,) because the Americans were pursuing them. The officer expressed himself satisfied with this explanation; he had nothing to say about the Texas horses or the raids. There are always orders from the interior for "caballos, mulas frisonas"—American horses and mules—to be filled, and it is well known that the Indians can only fill them by raiding into Texas. (The Mexican horses and mules are much smaller.) Francisco Rios had an order to buy a lot of American mules for wheel-mules from the Indians by Santiago Cerna, who left the money for them with Rios.

The gefe politico continues in his hostile attitude toward us; the American ferry-boat on which the troops crossed to Piedras Negras is still tied up by his orders, and in retaliation his father's ferry is kept on the American side.

No. 44.

Governor Hubbard to Mr. Evarts.

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, October 10, 1877.

SIR: I desire through your department to advise the President of the recent action of the authorities of the Republic of Mexico in relation to certain demands made by me upon that government, under the existing treaty of extradition, for criminals committing offenses, designated in said treaty, in the State of Texas, and who had taken refuge in the border Mexican State of Tamaulipas.

To the end that the United States Government may have a full and just comprehension of the issues involved, and of the indignities which Texas has recently borne from the hands of Mexican citizens, including theft of our property, burglary, jail-breaking, release of indicted felons, assaults to murder, and actual accomplished murder of our people, I herewith have the honor to transmit the accompanying official correspondence between the executive of Texas and the Mexican authorities. This includes *all* correspondence especially relating to the reported outrages at Rio Grande City, and the rejected demands of the extradition commission for five murderers from Hidalgo and Duval Counties, duly indicted in the district courts of Texas, and who were fugitives from justice in Mexican territory.

An inspection of this official correspondence will show that on the 12th day of August, 1877, a band of Mexican outlaws crossed the Rio Grande River, opposite Rio Grande City, the county seat of Starr County, Texas, and by force and arms broke open the common jail of said county and released therefrom one Espronceda, indicted for theft of cattle, and one Segunda Garza, indicted for the crime of murder.

While perpetrating this outrage, the State's attorney, Hon. Noah Cox, was severely wounded, as also the deputy sheriff and his wife, all citizens of Texas.

These outlaws recrossed the Rio Grande with the released prisoners,

being pursued by a detachment of United States troops, under Major Price of the Regular Army.

Immediately upon being advised of this occurrence, I informed the President, and asked that the general government would join with me in making demand of the Republic of Mexico for the return of the released prisoners, and the delivery of the raiders, and reparation for the outrage committed. In answer to my telegram to the President, I received from the Secretary of State the gratifying assurance that my demand for the Mexican raiders and for the released felons was properly made under the existing treaty, and that our government would take immediate measures for the protection of American rights involved.

In pursuance of my orders, therefore, the Hon. John C. Russell, of Corpus Christi, judge of the twenty-fifth judicial district and *ex-officio* extradition agent, made formal demand of the governor of Tamaulipas on the 23d day of August, 1877, for the extradition of the parties engaged in the jail-delivery and assault to murder, as well as for the felons released by them, giving their names, &c.; and the sheriff of Starr County was ordered to proceed with said demand to the city of Matamoras, where the governor of Tamaulipas then was, and deliver the same to that officer. After much needless delay and discussion about the proper construction of the treaty of extradition, as a reference to the official papers will show, the central government, (President Diaz,) through his accredited agent and member of his cabinet, (General Benavides,) ordered Governor Canales to have delivered to the Texas extradition agent (Judge Russell) the released prisoners and felons Espronceda and Garza, and also the raiders who liberated them and attempted to murder our citizens.

As the executive of a State having over five hundred miles of exposed border, with a shallow stream as the boundary-line between it and a people who cherished a traditional prejudice toward the American people, intensified by the Texas revolution for independence, and the international war of 1846, I instructed the extradition agents, representing this State under the special provisions of the treaty of December 11, 1861, to demand, first, the persons released, irrespective of nationality; because, having committed the crimes of theft and murder on Texas territory, within organized counties, and having been legally indicted by the grand juries of said counties, arrested by the high sheriffs under proper *capias* of the courts, lodged in jail, in default of bail, therefore the jurisdiction of the criminal courts of Texas had already attached, and the clause of the treaty excepting citizens of either country from the operation of its general provisions could not be invoked.

These prisoners were released by an unlawful mob, without the consent of this government, and the Republic of Mexico, should place them back, if within her power, in their original status, inside the jail of Rio Grande City.

The extradition agent also demanded, in an able and exhaustive paper, the delivery to the Texas authorities of the outlaws engaged in this affair, as an act of comity toward a neighboring and friendly republic.

In this demand the governor of Tamaulipas (General Canales) did not concur, nor did any one of the local civil or military authorities of Tamaulipas, and did refuse to become the instruments of extraditing any party charged with crime in Texas, fleeing to Mexico, and who claimed to be simply of Mexican origin.

General Benavides, however, representing the central government, concurred in the views of Judge Russell, that all the parties engaged in

this Rio Grande City outrage should be delivered over to the civil authorities, and it was so ordered. At midnight, on the 11th day of September, 1877, three of these parties were so delivered to the civil authorities at Brownsville, Tex.

Under my direction the commissioner reiterated his demand for the remaining murderer, (Garza,) and the confederates of the two raiders already delivered. Governor Canales and Passamento, judge of the first instance, in reply tauntingly informed the Texas and United States commissioner (Judge Russell) that, rather than comply with the orders of President Diaz, every civil officer of the border Mexican States, either had resigned or would resign, freely and frankly confessing, as this correspondence shows, that the excited public sentiment of the Mexican people would not allow any more extraditions of fugitives from Texas, of Mexican origin or blood, in any event. It has proven true in letter and spirit.

Troops of the regular army of the central Government of Mexico were ordered from Vera Cruz, and did proceed to Matamoras in the Mexican war-steamer Independencia, ostensibly to enforce obedience to the orders of said central government, and especially in the matter of the extradition of fugitives from justice demanded under the extradition treaty. These troops have not caused the arrest of any of the Rio Grande City outlaws, nor endeavored to arrest them; and instead of upholding their government have deserted its standard and affiliated with the revolutionary elements of Tamaulipas and the other border States, in their determination to hold the treaty at defiance for the future.

The latest and most significant illustration of this determination of the people of Mexico, is the turning loose in the streets of Matamoras of five criminals who committed murder in the counties of Hidalgo and Duval, in this State, who had been regularly indicted, and formally demanded under the extradition treaty.

I call your attention especially to the interview between the Alcalde José Ma. Villareal, and Sheriff Leo, of Hidalgo County, (as stated by latter in his report dated September 17, 1877, to Judge Russell,) who, bearing the demand of the United States extradition agent to said civil functionary, was refused an inspection even of the murderers (then in arrest) to ascertain their identity and make the necessary proof.

I also direct your attention to the declarations made by this officer, then having charge of extradition matters in Tamaulipas, that "We [Texas and United States] should be satisfied with those already delivered, and that no more fugitives should be returned," and that "if the Americans were smart they would get what Mexican prisoners they wanted in some other way."

The Hidalgo and Duval prisoners, who were indicted murderers and fugitives from Texas, were turned loose, without any issue of citizenship being mooted, even—much less, tried; but the very proposed identification of the criminals denied to the Texas authorities; and this done, too, be it remembered, in a city from which Canales had departed with his State troops!—done under the guns of the fort, and in the presence, *it was thought*, of over a thousand regulars from the central government!

I cannot fail to call the attention of the United States Government to the fact undisguised that Garza and the bandits who released him have been and are now in and around Camargo, in sight of the very spot on which they shot down innocent men and women and released murderers from the jail.

It is a fact likewise well known that Espronceda and the two others who were delivered, at midnight, opposite Matamoras, were friendless and homeless vagabonds, who, it appears, had depredated as much upon Mexican as upon American citizens; but Garza and the other outlaws are noted desperadoes and representative men of their class, perhaps owning ranches near Camargo and beyond, and have never been molested nor in danger of arrest by the Mexican military or civil authorities.

In the presence of these facts, and when advised that now and henceforth a demand for fugitives from justice would be to re-enact a solemn farce at the expense of the pride and dignity and honor of Texas, I directed that, until further orders, no more efforts should be made for extradition under a treaty ignored on the one part, but which has always been observed in earnest good faith toward the sister republic by the State of Texas and by the general government.

We have no assurance of peace and security along the Mexican border, nor have we had such security since the Mexican war and the annexation of the republic of Texas as a State to the American Union.

Aside from the general obligation imposed by the Federal Constitution upon this government to protect the exposed frontiers of Texas along with the other States, the special stipulations of the treaty of annexation doubly imposed this duty upon the United States, because of her liability to Indian forays and Mexican invasions along a frontier of over many hundred miles in extent.

In obedience to this moral and legal obligation, the United States Government has established forts and posts, and has, since 1846, attempted to give protection to that frontier. The number of troops required, and especially of cavalry, has always been inadequate to the heavy task imposed upon the portion of the regular Army assigned to that duty.

The consequence has been that the State of Texas has suffered alike from depredations from predatory Mexican freebooters, as well as from hostile Indians, for thirty years; so much so that, prompted by the instincts of self-preservation and the cry which comes from the border unceasingly during all these years for protection, the legislature of my State has been forced to place their own militia in the field, at a cost of nearly two millions of dollars, since 1846 to the present time. While our sister States of California and Oregon, for similar expenditures in maintaining State troops to guard against Indians, have been repaid by our government, it has been the misfortune of Texas to have never yet received any recognition of the just claim upon a great and magnanimous government, and of which she forms no inconsiderable part. I will, I trust, be excused for this partial digression, because it is pertinent to the renewed appeal which I now make for the State of Texas to the government under which she lives, that we shall have material and complete protection on our Mexican frontier.

Our people are murdered, their property stolen, and, with but rare exceptions, our claims for redress are met with indifference, or our demands for fugitive thieves and murderers laughed to scorn from the opposite shore of a shallow river, and almost within sight of their victims. I cannot now recount this long catalogue. I beg, however, to have considered in this connection the exhaustive report upon "Texas Frontier Troubles" of the special committee of the Forty-fourth Congress, consisting of Hon. Messrs. Schleicher, Williams, Banks, Hurlbut, and Lamar, as a part of this memorial.

In that most able and comprehensive report the wrongs which Texas has suffered from Mexico, unredressed, are recounted with a faithful and

true hand, and it constitutes a chapter in our history which I pray God may never again be written.

I beg, also, to refer you to the joint resolutions of every legislature of Texas since 1846, asking for more adequate protection, and to the annual messages of my honored predecessors in the executive office, each and all of them filled with evidence of bad faith and hostility of our Mexican neighbors toward the Texas people.

In a spirit of comity and obedience to law we have observed all treaties, and endeavored to cultivate friendly relations. At any time the State government of Texas, in the last quarter of a century, might have precipitated a war with Mexico. The actual indignities and losses of property and life which we have suffered, taken in connection with the traditional prejudices of the two peoples, surely afforded ample and frequent pretexts for invasions of their territory and war upon their people. I appeal to the history of Texas if in any instance, since she has been a State of this Union, she has ever violated any international law, broken any treaty, or invaded the territory of that republic.

Texas, speaking for herself alone, desires no war of conquest, but finds it alike her interest, as it would be her pleasure, to foster peace and friendly commercial relations with Mexico. In the recent causes of complaint to which I call your attention, I have patiently exhausted every legal and peaceful remedy. I recognized among nations, as among individuals, that it is magnanimous to respect a shattered and decaying state, and that it is only the coward and the tyrant who make conquests of the weak because they have the power.

All Texas desires is that Mexico be required to observe her treaty stipulations; and failing, as she has done and now does, that the General Government, to which we look for protection, shall demand redress and reparation for the property and the blood of our people sacrificed at their hands.

I have the honor to be, with high respect, your obedient servant,
R. B. HUBBARD,
Governor of Texas.

Hon. W. M. EVARTS,
Secretary of State, Washington, D. C.

[Inclosure in No. 44.]

MEXICAN TROUBLES.

Copies of certain documents relating to the outrage at Rio Grande City, Starr County, Texas, on 12th August, 1877, &c., on file in the executive office, State of Texas.

[Telegram.]

SAN ANTONIO, August 12, 1877.

To Governor HUBBARD,
Austin, Texas:

The following just received:

"RINGGOLD BARRACKS, August 12, 1877.

"Between 1 and 2 o'clock this a. m. an armed band of from ten to fifteen men crossed from the Mexican side into Rio Grande City, attacked the jail, and released two notorious criminals, murderers, and horse thieves, wounding the county attorney, Noah Cox, and three jailers severely. As soon as notification reached me, I sent Lieutenant Fountain, with twenty-five men, in pursuit, and followed at daylight with the balance of my mounted command. The river was carefully followed, and they were found to have crossed to the Mexican side at a point near the rancherías, seven miles above here, about one hour before Fountain's party reached there. Two of the parties were recognized as desperadoes who make their headquarters in Camargo.

"I have called upon the military and civil authorities of Camargo and Mier, in conjunction with civil authorities here, for the apprehension and delivery of these outlaws. I think this high-handed outrage should be immediately followed up by a demand on their government for their surrender. Am ready with one hundred men and two Gatling guns.

"PRICE."

This is written for you to act on.

ORD, *Brigadier-General*

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, August 13, 1871.

General E. O. C. ORD,
San Antonio:

Received your dispatch last night. I forwarded by wire to your care demand on authorities of Tamaulipas. Please convey it by wire or otherwise, as you like. I place subject to your order all State troops on Rio Grande frontier, and will call out militia if necessary. This outrage, I trust, will be followed up sharply and vigorously.

The State will second your motion.

R. B. HUBBARD,
Governor.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, August 13, 1871.

To the governor or chief civil authority of Tamaulipas, or chief military authority thereof, Republic of Mexico:

I am officially advised through Brigadier-General Ord, commanding Department of Texas, that, on the 12th instant, a number of men crossed the Rio Grande River to Rio Grande City, in Starr County, in the State of Texas, and did unlawfully break open the county jail thereof, release two murderers and desperadoes confined therein, wounding the county attorney, Hon. N. Cox, and three jailors severely.

If any of these jail-breakers be not citizens of Mexico, I demand, under the extradition treaty, on proper proof, that they be delivered over to the civil authorities of Starr County, to the sheriff or other legal officer, for trial; also that the rescued prisoners be returned.

This demand will be forwarded through General Ord, who will at my request see to its execution through the proper official channels.

R. B. HUBBARD,
Governor.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, August 13, 1871.

His Excellency RUTHERFORD B. HAYES,
President of the United States, Washington, D. C.:

SIR: I am advised by Brigadier-General Ord, commanding Department of Texas, that on 12th instant a party of Mexicans from the State of Tamaulipas crossed the Rio Grande River to Rio Grande City, the county seat of Starr County, Texas, bordering on said river, broke open the jail by force and arms, released two murderers therein confined, and in so doing severely wounded the State's attorney, Hon. Noah Cox, and three jailors, and one woman.

These marauders were followed by a small party of United States troops until they recrossed the Rio Grande into Mexico. Under the extradition treaty in force, I am vested with authority to demand extradition of such criminals from any neighboring Mexican State. I propose to make this demand, but desire co-operation by a simultaneous demand from the President.

It is an outrageous violation of our treaty relations and of international law. I therefore, in behalf of our people and of my State, have the honor to make this request, and that the Republic of Mexico make reparation for this act, deliver the murderers released to our civil authorities, and inflict punishment on the outlaws who committed the outrage.

R. B. HUBBARD,
Governor of Texas.

[Telegram.]

SAN ANTONIO, August 13, 1877.

Governor HUBBARD, *Austin* :

I reported the raid on the jail to the Adjutant-General, Washington. Doubtless President has received it. I have directed the commanders on lower river to furnish you and Commissioner Russell, of Corpus Christi, with all the evidences they may get. Think the President will suggest that you, as commissioners under the treaty, make demand for extradition in due form of the offenders. Perhaps better be done through civil functionaries, and if that fails he can call on central government. I think the Mexican Government or commissioners will use diligence.

ORD, *Brigadier-General.*

[Telegram.]

WASHINGTON, D. C., August 14, 1877.

His Excellency R. B. HUBBARD,
Governor of Texas, *Austin* :

The President directs me to acknowledge receipt of your dispatch of the 13th instant. Your proposed demand for extradition is in accordance with treaty stipulation. Measures for protection and maintenance of American rights involved will be immediately taken here.

F. W. SEWARD,
Acting Secretary of State.

[Telegram.]

SAN ANTONIO, August 15, 1877.

Governor HUBBARD, *Austin* :

Have directed Colonel Price, commander at Ringgold, to communicate details and evidence to you and Judge Russell. He telegraphed letters would be sent both to-day. The bad element prevails in Mexico, in that vicinity, and quiet people afraid of it. About same on this side, where nine-tenths voters are Spanish-speaking. Many freebooters among them, too.

ORD,
Brigadier-General.

[Telegram.]

{RIO GRANDE CITY, TEX., August 15, 1877.

His excellency the GOVERNOR of the State of Texas, *Austin* :

SIR : I have the honor to report that on the 12th instant, between 1 and 2 o'clock in the morning, a most daring outrage was perpetrated here. The county jail was attacked by an organized band of Mexicans from Mexico, about fifteen or twenty strong, and two criminals liberated, one being the notorious Segundo Garza, confined on a charge of murder, and the other confined on a charge of bringing stolen property into the State.

The attacking party easily overpowered the jailor and his guard, and carried off the criminals above named. They had, previous to making the attack, stationed sentinels in the vicinity to prevent an alarm being given, and when the jailor attempted to reach my house, he was shot down and dangerously, if not mortally, wounded. The county attorney, Mr. Noah Cox, who was sleeping near the jail was aroused by the noise, and coming out on his balcony was shot by one of the party, receiving, it is thought, a mortal wound. The guard was severely wounded, and the wife of the jailor also received a severe wound with a machete. Owing to the proximity of the river, the band easily made their escape, crossing over into Mexico, from whence they came.

The deputy sheriff, with a detachment of United States troops kindly furnished by Major Price, pursued them as soon as possible, but could not overtake them. From positive information I can say that this band came fully prepared with tools to break my jail and liberate the prisoners. They were trailed back to the river, and the evidence is positive that they crossed in the vicinity of Camargo. The leader was one Rafael Garza, well known on both sides of the river, and another was identified as a former prisoner who escaped from this jail.

Colonel Price, commanding Ringgold Barracks, and the deputy sheriff visited the authorities of Camargo, Mexico, and requested their assistance in arresting the perpetrators of this daring outrage. Colonel Price also addressed a communication to the commander of Mexican military forces at Mier, Mexico. Far from arresting the guilty parties, Mexican troops have been moved into Camargo by forced marches and volunteers formed with the avowed intention of repelling any attempt to arrest the said band by the authorities or troops from this side.

The utmost excitement prevails now upon the border, and a feeling of insecurity for life and property is felt by all. I consider it my duty to lay this statement of facts before you for your consideration, assuring you that in nothing is it exaggerated. The parties who are known as having been engaged in this affair are Rafael Garza, Zeferino Juarez, Pablon, Brigido Ollivarez, Segundo Garza, Rudolfo Esproncedo, and others. Please send requisition for above-named parties, as they are known to be at present in Camargo and its vicinity.

Respectfully,

P. MARCELLI,
Sheriff Starr County, Tex.

[Telegram.]

MATAMORAS, MEXICO, August 15, 1877.

General ORD :

The citizen general Geronimo Treviño, of date of yesterday, from Cadneyta, directs me to transmit to you the following telegram, which was deposited in Cadneyta on the 14th August, 1877, and received at Matamoras the same day, at 5.55 p. m.

"To General CANALES :

"Be kind enough to transmit General Ord the following :

"GENERAL: By your telegram, dated yesterday, I am informed that the prison at Rio Grande City was carried by assault by bandits; that according to your idea they are Mexicans, or persons resident in this country. With this object you will permit me to observe that I do not think it probable that people have passed from Mexico to commit this crime, because in Rio Grande City there is an infinity of persons of different nationalities, and I do not think it just that the authorities of Tamaulipas should be inculpated for assaults perpetrated in another country, even if by Mexicans or persons of another nationality. I have told you that the government of my country will use such means as she has at hand to give protection to the residents in Mexican territory, but it will not be possible to take care and also to insure the same security to the pueblos of foreign territory.

"General Canales and the civil authorities of Tamaulipas have taken energetic measures to arrest the offenders who made the assault on Rio Grande City. Notice has been received of the crossing of said bandits into Mexico, with the object of escaping. For this reason I have communicated with General Canales. and I again repeat to you that no measures will be omitted to correct these abuses within the jurisdictional limits, but that acts for which the criminal alone is responsible should not furnish a just cause of complaint against Mexico, when the crimes are committed beyond the reach of Mexican authorities.

"GERONIMO TREVIÑO"

This is transmitted for your information, in compliance with orders received from General Treviño.

SERVANDO CANALES

Official copy respectfully furnished for the information of the governor of Texas.
Austin, Tex., August 16, 1877.

E. O. C. ORD,
Brigadier-General Commanding

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
*Austin, August 15, 1877.*To P. MARCELLI,
Sheriff of Starr County, Rio Grande City, Texas:

Your dispatch received. Have ordered Judge Russell, extradition agent at Corpus Christi, to make demand and formal requisition for the parties who were released from your jail. Have ordered State troops to proceed at once to your county, to assist civil authorities and protect our citizens, and to be on hand for any emergency.

Communicate by wire to Judge Russell, at Corpus Christi, the names of the prisoners released, and all those engaged in the outrage—who are recognized as not being citizens of Mexico—to be extradited. The President of the United States has assured me that he will at once see that my demand will be enforced.

R. B. HUBBARD,
Governor.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
*Austin, August 15, 1877.*To Judge J. C. RUSSELL,
Corpus Christi, Tex.:

Have requested P. Marcelli, sheriff of Starr County, to furnish, at once, names of parties released from Rio Grande jail, and the names of such other marauders engaged in this outrage, who are not known to be citizens of Mexico.

I desire you to take prompt action in this matter. Have ordered State troops to Rio Grande City, and General Ord and Colonel Price will communicate with you.

R. B. HUBBARD,
Governor.

[Telegram.]

SAN ANTONIO, *August 16, 1877.*Governor HUBBARD,
Austin, Tex.:

General Benavides has offered \$2,000 for escaped prisoners and is making every exertion to capture them. Why not add something? General Steele's telegram this date received, all right.

ORD,
Brigadier-General.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
*Austin, August 17, 1877.*General ORD,
San Antonio, Tex.:

Yours yesterday received. It is well for Mexico to offer rewards. I have to pay the expenses of extraditing our own fugitives from justice, but can't pay for catching the Mexicans. Diaz or some other President must foot that bill.

They won't arrest any of the great criminals or leading raiders, and then we will see what course our own government will pursue.

R. B. HUBBARD,
*Governor.*CORPUS CHRISTI, TEX.,
August 17, A. D. 1877.

SIR: I have this day mailed to P. Marcelli, sheriff of Starr County, a demand upon the proper civil authorities of the State of Tamaulipas, Mexico, for the extradition of the following-named persons—the two first named being the parties released from the jail of Starr County; the others being parties engaged with others in their release, to wit: Segundo Garza, Rudolfo Esproncedo, Brigido Ollivarez, Zeferino Juarez, Rafael

Garza, Pedro Rodriguez, Blanco Pablon, and ——— Obispo. I also forwarded instructions to said Marcelli to present said demand at once before the proper civil authorities with the proper evidence of the accusations against the above-named parties.

Very respectfully,

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

His excellency R. B. HUBBARD,
Austin, Tex.

[Telegram.]

SAN ANTONIO, August 21, 1877.

Governor HUBBARD,
Austin Tex.:

The following just received:

"FORT BROWN, August 18, 1877.

"The names of the raiders reported from Texas are reported by Colonel Estrada commanding at Camargo, to be Rafael Treviño, of Rio Grande City, and Gregorio Garza, who lives at Barreras Ranch, Texas."

"FORT BROWN, August 21, 1877.

"On the 17th Rudolfo Espronceda, one of the escaped prisoners, was caught in Guerrero. General Benavides says the other prisoner will surely be caught. His whereabouts are known. Nine soldiers were lost in pursuit by sun-stroke.

Signed, "Sweetzer."

ORD,
Brigadier-General.

[Telegram.]

RIO GRANDE CITY, TEX.,
August 22, 1877.

Gov. R. B. HUBBARD,
Austin, Tex.:

I have the honor to report my arrival here yesterday. The Mexican authorities have arrested two of the liberators and one of the prisoners rescued from the jail at this place and removed them to Matamoras, for what purpose is unknown. Four other of the raiders are known to be in the immediate vicinity of Camargo, whom they have not endeavored to arrest. Have forwarded Judge Russell all the names of those engaged in the raid who were American citizens, and will demand the parties on the arrival of the requisition.

The Mexican authorities are concentrating troops at Camargo, with the evident intention of protecting rather than delivering them to the authorities on this side, and act as if they thought all excitement or disposition to secure these raiders had subsided, and that the United States and State authorities are not in earnest in their demands.

United States authorities will assist us, if necessary.

J. L. HALL,
Lieutenant Commanding State Troops,

UNITED STATES OF AMERICA,
State of Texas, county of Cameron:

To His Excellency SERVANDO CANALES,
Governor of the State of Tamaulipas, Mex.:

SIR: I have the honor to call your attention to the fact that during the night of 11th August, 1877, a band of marauders attacked the county jail in Rio Grande City, Starr County, in this State, releasing therefrom Segundo Garza, confined therein on a charge of murder, and Rudolfo Espronceda, confined on a charge of horse-stealing; and the said bands shot and seriously wounded Noah Cox, esq., the county attorney of said county, as well as the jailer. The said parties, so far as known, are, to wit, Segundo Garza, Gregorio Garza, Seferino Juarez, Rafael Treviño, Pedro Rodriguez, Benito Olivares, Pablo Parra, and one Obispo, who, after committing the said assault upon the person of Mr. Cox and the jailer, took refuge in the Republic of Mexico, crossing the Rio Grande River a few miles above Rio Grande City.

Now, by virtue of the authority vested in me by the governor of the State of Texas, under the treaty of December 11, 1861, between the United States and the Mexican Republic, for the extradition of criminals, I ask and require that the said parties, to wit, Rafael Garza, Gregorio Garza, Seferino Juarez, Rafael Treviño, Pedro Rodriguez, Brigido Olivares, Pablo Parra, and one Obispo, be delivered to me to answer the charges of burglary and assault with intent to murder, and that the said Segundo Garza and Rudolfo Espronceda, so forcibly taken from jail as aforesaid, and carried into Mexico, be delivered to me to answer the respective charges against them, to wit, murder against Garza, and horse-stealing against Espronceda.

I have the honor to be, your obedient servant,

JOHN C. RUSSELL,

Judge Twenty-fifth Judicial District, Texas.

BROWNSVILLE, TEX., August 23, 1877.

MILITARY LINE OF THE STATES OF TAMAULIPAS, SAN LUIS POTOSI, AND H. VERA CRUZ—GENERAL IN CHIEF.

SIR: I have had the honor of receiving your communication dated day before yesterday, in which my attention is called to the deed perpetrated on the night of the 11th instant, by a band of highwaymen, who surprised the jail of Starr County, in Rio Grande City, and liberated Segundo Garza, guilty of homicide, and one Rudolfo Espronceda, accused of theft of cattle; said band shooting off their arms and seriously wounding Mr. Noah Cox, county judge, and the jailer. You also inform me that the band was composed of Rafael Garza, Gregorio Garza, Seferino Juarez, Rafael Treviño, Pedro Rodriguez, Brigido Olivares, Pablo Parra, and one Obispo, who, after committing this assault, took refuge in this territory, crossing the river Bravo, a few miles above Rio Grande City.

In reply to your attentive note I will state that I am not the governor of the State of Tamaulipas, in whose character you address me, but a Mexican general in command of the army on this frontier, to guard public order, to see that good and cordial relations are maintained with the United States, our neighbors, procuring, among other things, security and rights to all the inhabitants of the Mexican side of the Bravo. To that effect I have reported your requisition to the Supreme Government of the Republic and the governor of Tamaulipas, who substitutes me, residing at C. Victoria; but as I am animated by the best wishes to make known the good disposition on the part of the Mexican authorities for the apprehension and punishment of the criminals on our frontier, I take the liberty to inclose you a few printed slips, containing various official telegrams relating to this affair, by which you will become acquainted with the efficacious and energetic measures which have been taken for the apprehension and punishment of the Rio Grande City criminals, some of whom are already incarcerated in the jail of this city, as a part satisfaction for the outrage which they have committed, and as an evident proof of the persecution instituted against them.

The authority to whom corresponds the knowledge of this affair, in conformity with the laws of this country, has in its power the prisoners, and it will, without any doubt, determine, in accordance with the extradition-treaty in force between the two republics, if they ought to be delivered. At the same time, the examination which is now being carried on will tend to discover the traces or whereabouts of those who have not yet been captured by the troop assigned to perform that duty.

In concluding this note, it comes with pain to my notice that the authorities of Tamaulipas are accused of bad faith in a disagreeable incident, in which they have notoriously displayed all their activity and energy.

In compliance with my duty, and in just vindication of the authorities accused, you will permit me to protest, as I now do, against so gratuitous a charge. In doing so I ground myself on the facts which I have stated in the course of this communication.

I avail myself of this occasion to offer myself as your attentive and obedient servant. Liberty and constitution.

H. Matamoras, August 25, 1877.

SERVANDO CANALES.

Mr. JOHN C. RUSSELL,

Extradition Agent, &c., of Cameron County, Texas, United States, Brownsville.

BROWNSVILLE, TEX., August 27, 1877.

General SERVANDO CANALES,
Commanding State of Tamaulipas, &c., Matamoras, Mexico:

SIR: I have the honor to acknowledge the receipt of your communication of the 25th instant, with an inclosure, in answer to my demand made on you as governor of Tamaulipas, under the extradition-treaty between the two countries for the surrender of the criminals who fled to Mexico after attacking the county jail at Rio Grande City,

Tex., on the night of the 11th instant, wounding the county attorney, Mr. Noah Cox, and the jailer, and rescuing two prisoners therefrom, whose return to our authorities I also demanded.

I notice that you disclaim being the governor of the State of Tamaulipas, alleging that you are simply a general of Mexico, in command of the troops on this frontier, and charged with the preservation of public order, and the maintenance of good and cordial relations with the United States; and that, therefore, you reported my requisition to the Supreme Government of Mexico, and to the governor of Tamaulipas, residing in the city of Victoria. You also state that, being prompted by the best wishes to prove the good disposition of the Mexican authorities toward the capture and punishment of the criminals who marched on our frontier, you enclose me the printed slips containing the official telegrams relating to the affairs at Rio Grande City, by which I could learn the efficient and energetic measures taken to arrest and punish the criminals, some of whom have been captured, and are now in the jail of your city. You further state that the prisoners are so held and subject to the proper authority of your country to whom such matters correspond, who doubtless will determine if, according to the extradition-treaty between the two republics, they shall be delivered over.

You conclude by regretting that the authorities of Tamaulipas are charged with bad faith in this disagreeable incident, and that, in compliance with your duty, you protest against so gratuitous and baseless an accusation.

In replying to your communication, I have the honor to say that, under the fourth article of the extradition-treaty, I made the requisition on you, as the chief civil authority of Tamaulipas, because I was informed that you had been constitutionally elected governor of the State at the last elections, and duly installed as such, and that though by leave of the legislature you had assumed the command of the federal forces on this line, and a substitute was temporarily acting in your place, still you were the recognized and real governor, so far as our government was concerned in its international relations with your country. On this ground I addressed my demand to you, assuming that unless you had formally resigned the office of governor you continued in that *de jure* character, notwithstanding that *de facto* you were under a leave of absence, and that, for the purposes of the international treaty of extradition, you were embraced in the denomination of the chief civil authority of your State.

I regret exceedingly, in a matter of such grave importance and requiring the promptest action to serve as a swift example to the outlaws who infest our border, that the dilatory action of simply reporting the fact of my demand to the authorities at the remote cities of Mexico and Victoria should have seemed to you the proper method of meeting my requisition, and particularly so when among the dispatches printed in the sheet you did me the honor to inclose in your communication I find one directed from the minister of war, dated at Mexico, August 14, to your subordinate officer at Mier—Col. Francisco Estrada—commanding him, by order from the President of the republic, to place the prisoners when captured at the disposition of the American authorities who may claim them, observing in relation thereto the treaty stipulations for the extradition of criminals. This energetic and speedy direction of the supreme government, given to the military authority on the frontier, I respectfully submit, might well be construed to empower the commander-in-chief of the line to act in a matter when his inferior officer was so authorized.

It is a subject of proper congratulation that the Mexican authorities have succeeded in capturing several of the criminals who committed the bloody outrage at Rio Grande City, and I respectfully suggest that their delivery should be accomplished with as little of any hampering or technical difficulty as possible, and I therefore regret that you did not inform me who the authority was to whom you alluded as holding the prisoners in jail and who would determine whether they should be delivered under the treaty, so that I might at once have addressed him, and that you did not report or refer my demand to him immediately instead of remitting the matter to the distant capitals named by you. I beg to assure you of the increased sense of satisfaction with which the repeated protestations of good wishes in the prompt punishment of the malefactors, which you so earnestly express, would have been received, if coupled with immediate steps taken with the local extradition agents for their rendition, in the event of your own disqualification to act in that capacity.

By reading the printed sheet inclosed in your communication, I am informed that the federal judge of Matamoras, Mr. Juan N. Margain, held the captured prisoners subject to his jurisdiction on the 22d instant, and I would now forward a requisition to him were it not that grave doubts as to his competency to act as extradition agent under the terms of the fourth article of the treaty, have arisen in my mind. Hence having no other resource left, I have this day addressed a demand on the judge of the first instance, although without positive knowledge that he has been duly authorized to carry out the treaty by whomsoever may be the governor of Tamaulipas.

I trust that my success in finally reaching the proper and competent authority in this urgent matter may correspond to my wishes and to the charge you inform me

been given you by your government to maintain friendly relations between the two republics.

I again reiterate my sincere regret that I have felt it my duty to call your attention to the facts mentioned, and beg to subscribe myself, with the assurance of my consideration and esteem,

Your most obedient servant,

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

BROWNSVILLE, TEX., August 29, A. D. 1877.

His Excellency R. B. HUBBARD, *Austin, Tex.:*

SIR: On my arrival here I made a demand on Governor Servando Canales, of Tamaulipas, who is now in the city of Matamoras, for a return of the armed men who engaged in breaking the county jail of Starr County, to the civil authorities of that county, a copy of which demand I herewith inclose, also the reply of General Canales to that demand, as well as a copy of the reply I felt it my duty to make to him.

As General Canales disclaims any authority to deliver the parties complained of under the treaty, I made another demand upon Don Carlos Passamante, judge of the first instance, who, I have been informed, has been duly appointed by the chief civil authority of Tamaulipas as extradition agent under the treaty of December 11, 1861, and is charged with the execution of its provisions—a copy of which last demand I also inclose. I also had a call from General Benvides to-day, and I inclose the substance of our interview.

It occurs to me that delay is regarded by the Mexican authorities of importance in the adjustment of this matter, but for what reason they should seek it I cannot conceive, unless it is to wear the matter threadbare and cast it aside as an old garment.

Three of the armed men engaged in the outrage at Rio Grande City on the 11th instant have been arrested by the military authorities, and are now held in custody, and have been held several days, in the city of Matamoras.

My first demand, made at Corpus Christi, has not been heard from, nor has my third demand, but I was informed by General Benevides that it would be answered this evening, or in the morning. I have pressed this matter with all the vigor circumstances would admit, and shall continue to do so until a result is reached.

With much respect, I am your excellency's obedient servant,

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

THE UNITED STATES OF AMERICA,
The State of Texas, County of Cameron:

To the Hon. CARLOS PASSEMENTO,
Commissioner of Extradition, Matamoras, Mexico:

SIR: Information having been received from official sources that on the 12th instant a number of armed men crossed the Rio Grande River to Rio Grande City, in Starr County, and the State of Texas, and did unlawfully, with force and arms, break open the county jail of said Starr County, and release two persons confined for high crimes against the laws of said State, to wit, Segundo Garza, charged with the crime of murder, and Rudolfo Espronceda, of the crime of larceny of property of more than \$25 in value. The said armed men, at the time of releasing said prisoners, shot and dangerously wounded Noah Cox, esq., county attorney of said Starr County, and the jailer. The following-named persons were engaged in breaking the jail and shooting said Noah Cox and the said jailer, and each now stands charged with the crime of burglary and assault with intent to murder, to wit, Rafael Garza, Gregorio Garza, Seferino Juarez, Rafael Trevino, Pedro Rodriguez, ——— Pablon, ——— Obispo, Brigido Olivares, and Pablo Parra. All of the above-named criminals are fugitives from justice, and are believed to be in the State of Tamaulipas, Mexico.

Now, therefore, in the name of the United States of America, by virtue of the power and authority vested in me by the governor of the said State of Texas, as extradition agent and commissioner duly appointed under the provisions of the treaty concluded December 11, 1861, for the extradition of criminals, now in force between the United States of America and the republic of Mexico, I demand and require that the jail-breakers, charged with the double crime of burglary and assault with intent to murder, on proper proof being made, be delivered to the proper civil authorities of said Starr County for trial and punishment.

I also demand and require that said rescued prisoners, to wit, Segundo Garza and Rudolfo Espronceda, be returned to the sheriff of Starr County, to be respectively dealt with according to law.

With great respect, I have the honor to be, your obedient servant,

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

BROWNSVILLE, TEX., August 27, 1877.

Substance of an interview between General Benavides and myself, as extradition agent and commissioner, August 29, 1877.

I had a call from General Benavides, (accompanied by Mr. Suzeneau,) who informed me that three of the prisoners who committed the outrage at Rio Grande City had been captured and were held by the authorities of Tamaulipas; that the demand for their extradition which I had made would be answered to-day or to-morrow morning, and that the parties would be delivered over, but thought that their immediate delivery ought not to be pressed, as the authorities were anxious to capture the other parties engaged in that outrage; and he also thought the chances of their capture would be greatly diminished if an immediate delivery took place. He expressed an earnest desire for the capture and delivery of Rafael Garza, who was the leader of the move against Starr County jail. He expressed the opinion that none of the party would be delivered up except those who were shown to be United States citizens, and requested me to prepare the proof of their citizenship. I expressed to him the opinion that all parties engaged in the outrage ought to be delivered up for punishment, irrespective of their nationality; that the comity of nations and the critical relations of the two countries required such action, if there was a real desire for peace, without regard to treaty stipulations. In which expression of opinion General Benavides concurred, and stated that he would address the central government and the minister of war upon the subject. I also agreed to communicate his request for delay to the governor of Texas. He expressed a strong desire for peace and amicable relations between the two republics, and that the criminals on the border should be weeded out.

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

[Telegram.]

BROWNSVILLE, TEX., August 29, 1877.

His Excellency R. B. HUBBARD:

Have just had a call from General Benavides, who informs me that three prisoners have been captured, but asks delay in delivery on my demand, as immediate rendition will diminish prospects of capturing others. I demand all, irrespective of nationality, believing the comity of all nations requires their delivery under existing circumstances. General Benavides stated that he would at once convey to the central government my views, as he concurred in them.

JOHN C. RUSSELL,
Extradition Agent.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, August 30, 1877.

Hon. J. C. RUSSELL,
Extradition Agent, Brownsville, Tex.:

Your demand approved. The republic of Mexico will exhibit a generous spirit of comity as well as justice by delivering all the marauders, irrespective of nationality. I hope it will be done in good faith and without unnecessary delay.

R. B. HUBBARD, Governor.

[Telegram.]

BROWNSVILLE, TEX., August 30, 1877.

His Excellency R. B. HUBBARD, Governor:

Received reply from Judge Passemont, extradition agent, to my demand. He says prisoners in Matamoras jail claim Mexican citizenship and exemption from extradition. He awaits proof from me that this claim is untrue, because if true he will not extradite. Should I fail in proof, which is probable, what next?

JOHN C. RUSSELL,
Extradition Agent.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, September 1, 1877.

See last clause of article 6 of extradition treaty. You can obtain proof from Starr County to identify prisoners released from Rio Grande City jail, if any are arrested.

I hold the onus of proving citizenship rests on the Mexican Government, the demand being made by this government first. If the marauders are, in fact, Mexican citizens, shall then demand reparation, and refer the whole matter to the President of United States. The prisoners released should at once be delivered, whether Mexicans or not, our jurisdiction having already attached.

R. B. HUBBARD, *Governor.*

[Telegram.]

SAN ANTONIO, TEX., *August 24, 1877.*Governor HUBBARD, *Austin, Tex.:*

Your letter with Captain Hall's received. My advices do not agree with letter. My orders prohibit crossing on trails after any sort of raiders, where there are Mexican troops to arrest or pursue such bandits. Telegraph that Hall proposes to cross at Camargo, and says he is authorized by orders from you to pursue and arrest all criminals wherever they may be found, even on Mexican soil.

If this is so, and he crosses, unless my orders are changed, he will cross without aid from regulars.

Hall, also, according to my advices, stated to Colonel Gomez that there are twenty-five thousand volunteers organizing in Texas for campaign in Mexico.

Such talk, if reported correctly, is likely to stop efforts on the part of the Mexican authorities to capture and return the rescued prisoners under extradition treaty.

ORD, *Brigadier-General.*

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
*Austin, August 24, 1877.*Lieut. LEE HALL,
Commanding Company, Rio Grande City, Tex.:

You will confine your duties solely to the protection of property and citizens on Texas side of the river. You will not cross the river save under my orders or orders of officers of the United States Army.

General Ord telegraphs me that you have made threats of crossing the river for these outlaws, and that Texas militia was being called out in large numbers. My demand is a civil one, under extradition treaty. When time comes to cross, General Ord and myself will act in concert, and you will be advised.

R. B. HUBBARD,
Governor and Commander-in-Chief.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
*Austin, August 24, 1877.*General ORD, *San Antonio:*

Dispatch received. Hall has had strict orders to confine his operations to this side of the river. I make the demand under extradition treaty. If that fails, then I shall introduce other actors, I hope, but always by consent of the United States Government.

Forward you full advices per mail.

R. B. HUBBARD, *Governor.*

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, August 24, 1877.

SIR: I am in receipt of your telegram of this date, and herewith have the honor to hand you copy of my reply thereto by telegraph and also of my telegram to Lieutenant Hall, commanding State troops at Rio Grande City.

Very respectfully,

R. B. HUBBARD, Governor.

Brig. Gen. E. O. C. ORD, U. S. A.,
Commanding Department of Texas.

P. S.—There have been no orders by me to raise volunteers for any purpose. My dispatches to the President and to yourself cover all I have said and propose to do in the premises.

HUBBARD.

[Telegram.]

RIO GRANDE CITY, TEX., August 25, 1877.

Governor HUBBARD:

SIR: Upon my arrival here, I was called upon by the commander of the post, Colonel Price, who informed me that he had instructions from the head of this military department to turn the matter entirely over to the civil authorities of this State.

Upon this I visited Colonel Gomez, commanding Mexican forces on the other side. Did not state to him there were large forces being organized on this side for the purpose of invading Mexico, but simply referred to your dispatch to General Ord of August 13, and to your demand of the same date, as published in the San Antonio Express, a copy of which I had with me at the time, to show him that the State of Texas was in earnest in this matter, at the same time telling him he must get these men within four days—not saying what the consequences would be if he did not—as I was reliably informed they were then at a ranch within four miles of Colonel Gomez's headquarters and within five miles of this place.

From my observation, the authorities are either unwilling or unable, from a sympathy with all outlaws, to make the arrest. All their movements with troops and otherwise have indicated a desire to protect rather than deliver any of the depredators. Nothing can induce them to turn over any of these culprits, although I am satisfied they know just where to put their hands upon them, and now believe that they are under surveillance, to be forthcoming in case of absolute necessity.

If it is a question of talk and diplomacy, there will be none of the raiders delivered, as they are profuse in fair promises since the Hidalgo treaty, which is all in their favor. There is no record where they have ever fulfilled their portions of the treaty on the Lower Rio Grande. If this offense is allowed to be smoothed over without complete punishment to the offenders, there can be no security for life or property on this border hereafter.

Rumors of the threatened breaking of the jail at Edinburg reached here to-day in presence of perfect apathy on the part of the troops on the other side, and being thoroughly informed of such, what can State troops or even United States troops do under existing orders?

HALL,
Lieutenant Commanding State Troops.

[Telegram.]

SAN ANTONIO, TEX., August 27, 1877.

Governor HUBBARD:

The following just received from Fort Brown:

"Saw Generals Benavides and Canales. They assure me everything is being done by them to arrest the remaining raiders and prisoner. Of the four now arrested, two come under the extradition treaty, and are ready to be delivered—one raider and one prisoner. They know the whereabouts of the rest, except the two Texans and the unknown. Owing to the great animosity existing between the Texan and Mexican border citizens, it is difficult to inspire them with zeal in the apprehension.

"General Benavides has dismissed two captains of local troops for want of zeal. Any unlawful interference of our citizens only impedes the efforts of the authorities. Judge Russell, United States extradition agent, is here. The Mexican agent, Carlos Pasman, is in Matamoras."

Signed, "Switzen."

ORD, Brigadier-General.

[Telegram.]

BROWNSVILLE, TEX., September 3, 1877.

His Excellency R. B. HUBBARD, Governor:

Will you authorize me to employ counsel to prosecute in extradition of parties engaged in Rio Grande affair? We ought to be represented before the extradition agent to insure return of criminals. Answer. No further developments.

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, September 3, 1877.

Judge J. C. RUSSELL, Brownsville, Tex.:

The expenses of extradition under article 5 of the treaty does not include those of counsel. There is no such appropriation. Unless clearly proven to be Mexican citizens to your satisfaction or your agent, must be delivered. The released prisoners must, whether Mexicans or not, be delivered any how.

R. B. HUBBARD, Governor.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., September 8, 1877.

SIR: I have the honor to inclose copy of a telegram received this day from Lieutenant-Colonel Sweitzer, Eighth Cavalry, commanding district of the Rio Grande. This comes, I think, from General Benavides, who gave me to understand the same was intended.

The view as to local authorities' inability or indifference to central government, by reasons of local feeling, doubtless correct, and agrees with the view of prominent Lerdists now in this city. Whether the coming power will have the necessary ability and disposition is the question.

Very respectfully, your obedient servant,

E. O. C. ORD,

Brigadier-General U. S. A., Commanding.

His Excellency the GOVERNOR of Texas,
Austin, Tex.

UNITED STATES TELEGRAPH,
Fort Brown, 7, 1877. (Received September 7, 1877, 3.25 p. m.)

A. A. GENERAL:

There are now fifteen hundred Mexican regular soldiers at Vera Cruz ready to embark for Matamoras, probably under command of General Gonzales. They will be sent on one of the Alexander line of steamers, City of Merida, to Bagdad. They come for the purpose of enforcing the extradition treaty between the United States and Mexico, and enforcing order on the border. The local authorities on this frontier, being mixed up in local politics, are afraid to carry out any vigorous measures ordered by the Mexican Government. They obey orders when it suits them, and when they think it will not injure their political prospects. In other words, the lawless citizens control and overawe the local authorities.

The government appears to be eagerly in earnest to enforce law and order on this frontier, but their local agents are afraid to execute their orders.

SWEITZER.

[Telegram.]

BROWNSVILLE, TEX., September 10, 1877.

His Excellency R. B. HUBBARD, Governor:

SIR: I transmit the following, as I regard it as the ultimatum of the demands heretofore made. The correspondence will be sent by mail as soon as I can get it arranged.

J. C. RUSSELL,
Extradition Agent and Commissioner.

BROWNSVILLE, CAMERON COUNTY, TEXAS,
September 10, 1877.

SIR: I have the honor to report to your honor that on the 3d instant, after receiving your telegram requiring my presence here to identify the prisoners alleged to be confined in Matamoras, Mexico, three in number, two of whom, it is said, to have been among the assaulting party upon the jail in Rio Grande City, Starr County, and the other one of rescued prisoners, and in response to said telegram I repaired to this place, where I arrived on Wednesday night, the 5th instant, and reported to your honor.

On Thursday, under instructions from your honor, I delivered to Carlos Passemment, agent of extradition in Matamoras, Mexico, copies of indictments and affidavits against the three parties, said to be in jail in Matamoras, to wit, Pablo Parra, Brigido Olivares, and Rudolfo Espronceda, and the other parties engaged in aforesaid assault, as also the party Segundo Garza, one of the delivered prisoners from the jail of Starr County, when the said Carlos Passemment, agent of extradition, informed me that on the morrow he would reply to your honor.

Whereupon I stated that by order of your honor I wished to see the prisoners with the view of identifying them, to which I was replied, "I will answer to-morrow."

On the next day, Friday, the seventh, I went again to Matamoras and met Judge Passemment at the office of General Canales, and on repeating my demand, under your honor's instructions, to view the said prisoners, I was informed that a special request in writing from your honor was necessary, whereupon I reported to your honor.

On Saturday, the 8th instant, I repaired to Matamoras and delivered to said Judge Passemment your written request for me to view the prisoners, which the said judge had required on the day previous, when he stated he would reply in writing, but I was not given an opportunity to see the prisoners.

On Monday, the 10th, I again went to Matamoras, under the orders of your honor, to view the prisoners, but did not find Judge Passemment at his office. I then repaired to his house, where I found him, and informed him of my business, under your orders. He replied, "I can do nothing. I am sick in bed. I have resigned, and you will have to wait until another judge is in office."

After all these repeated failures simply to see the prisoners, and believing I will not be permitted to do so, I ask leave to return to my home to attend to the duties of my office for the approaching session of the district court.

P. MARCELLI,
Sheriff Starr County, Texas.

Hon. JNO. C. RUSSELL,
Judge Twenty-fifth Judicial District, Texas,
and Agent of Extradition.

[Telegram.]

RIO GRANDE CITY, TEX., September 11, 1877.

Adjutant-General STEELE:

I am reliably informed that Seferino Juarez, Segundo Garza, Rafael Garza, and Pedro Rodriguez, four of the raiders, are now in Camargo, unmolested by the officers.

J. L. HALL,
Lieutenant Commanding State Troops.

[Telegram.]

BROWNSVILLE, TEX., September 12, 1877.

His Excellency R. B. HUBBARD, Governor:

Last night, at 12 o'clock m., the Mexican authorities turned over to sheriff of Starr County, on the Texas side of Rio Grande, in this city, Rudolfo Espronceda, who was released from jail at Rio Grande City, and Pablo Parra and Brigido Olivares, raiders, who released prisoners there on the 11th ultimo. Unofficial information assures me that the other raiders are in Camargo and not arrested.

RUSSELL,
Extradition Agent.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, September 13, 1877.Hon. J. C. RUSSELL,
Extradition Agent, Brownsville, Tex.:

Your dispatch received; also your official correspondence. I heartily approve your course, and congratulate you on the success attending your efforts. It is to be hoped that the murderer Garza, released from jail, and all the remaining raiders will be arrested and delivered by the Mexican authorities without delay.

R. B. HUBBARD,
Governor.

[Telegram.]

HIDALGO, TEX., September 19, 1877.

His Excellency R. B. HUBBARD, Governor:

Sheriff of Hidalgo County was refused permission to see and identify three prisoners now in Matamoras jail charged with murder in this county. We can hope for no further action being taken on the Mexican side, as Canales has resigned on account of the delivery of the three ordered by Diaz—of which I advised you.

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, September 20, 1877.Judge JOHN C. RUSSELL,
Extradition Agent, Brownsville, Tex.:

Your report, received, this day, has been sent to Washington. Whoever acts in Canales' stead, make demand of him. If no one, report to me.

Where are the fifteen hundred troops to be sent by Diaz to enforce our extradition demand?

R. B. HUBBARD,
Governor.

[Telegram.]

HIDALGO, TEX., September 21, 1877.

His Excellency R. B. HUBBARD, Governor:

Demands have since been made on José Ma. Villereal and answered, but no prisoners returned. Know nothing more than your excellency about the fifteen hundred troops alluded to.

RUSSELL,
Extradition Agent,

HIDALGO, September 19, 1877.

STR: I have the honor to inclose to you the report of Sheriff Leo, of this county, which will explain itself. Being so remote from Matamoras—the only point that I have been able to find an agent on the Mexican side—I have but little hope of any more criminals being returned. I shall not, however, cease to demand and urge their return.

With considerations of esteem and respect, I have the honor to be, your obedient servant,

JOHN C. RUSSELL,
*Extradition Agent and Commissioner.*His Excellency R. B. HUBBARD,
Governor, Austin, Tex.

HIDALGO, TEX., *September 17, 1877.*

SIR: I have the honor to inform you that, in obedience to your instructions, sent me by Sheriff Marcelle, I, with Mr. John O. Thompson, repaired to Brownsville to identify the prisoners Matilda Rameriez, Leon Zamora, Porfirio Cantu, and Felix Garcia, now in jail in Matamoras, Mexico, and for whom you had made demand for their extradition, based on a charge of murder of Alexander Morel, preferred by indictment in this county.

That on Saturday, the 15th instant, we went (Mr. Thompson and myself) to Matamoras, and I delivered, at 12 m., to the proper officer, José Ma. Villereal, your request that we be admitted to see the parties to identify them, if we could, and your demand that, if identified, said prisoners be delivered to me.

In reply, the said officer, José Ma. Villereal, stated the matter would be attended to at 3 p. m., at which time, on my calling at his office, the said officer informed me, as the morrow, Sunday, was a holiday he could do nothing before Monday. I then insisted on seeing the prisoners for their identification, when I was referred to his secretary, Jesus Carazos, who informed me that the prisoners could not be seen; that we ought to be satisfied, as three Mexicans had already been delivered up; that these men would not be given up, and that if the Americans were smart they would get what Mexican prisoners they wanted in some other way.

This last remark he declined to explain, saying he wished no more arguments; when the judge, José Ma. Villereal, said he was glad he had nothing to do with the delivery of the said Mexican raiders on the Rio Grande city jail, as public opinion was much against the act, and all connected with it were much censured, although the supreme government had ordered the delivery.

Mr. Thompson, however, saw accidentally one of the prisoners, Matilda Rameriez, whom he knew well.

Very respectfully,

ALEXANDER J. LEO,
Sheriff, Hidalgo County, Tex.

Hon. JOHN C. RUSSELL,
*Judge Twenty-fifth Judicial District and
Extradition Agent, Hidalgo, Hidalgo County, Texas.*

[Telegram.]

RIO GRANDE CITY, TEX., *September 26, 1877.*

His Excellency R. B. HUBBARD,
Governor:

Your telegram of to-day received. You need entertain no hopes of the surrender of any more criminals demanded. The whole of the frontier is aflame on the Mexican side about the surrender of the three criminals delivered, and General Canales, who made the delivery, has resigned because he was forced to make the rendition. The populace along the other side is very much excited, and a revolution is imminent on account of the surrender.

Canales is going to Victoria, capital of Tamaulipas, and takes with him the State troops; leaving in Matamoras his small garrison of federal troops. The latter are now re-enforced by regulars sent from Vera Cruz on the war-steamer Independencia. It seems this may be precautionary against Ord's order.

Extradition matters on Mexican side are confided to an alcalde at Matamoras; governor and judge of first instance declining to act, or resigning, and the alcalde seems to follow the popular fanaticism against surrender of any more Mexican criminals.

The Mexican press is unanimous against delivery, and the Progreso newspaper of Matamoras (semi-official) announces that no more surrenders will be made.

I received communication from the alcalde of Matamoras yesterday, which plainly leads me to the conclusion that no more criminals will be surrendered. It is reported that meetings have been held on Mexican side with a view to reclaim prisoners already delivered.

To prevent this and insure a fair trial, forces at garrison here have been placed at my disposal.

Yesterday sent demand through Co'onel Price, Fort Brown, in strong terms, to extradition agent at Matamoras for balance of Rio Grande city-jail raiders, also for the Duval County murderers and the criminals who escaped from Hidalgo County; but expect no result whatever except voluminous correspondence and delay.

Colonel Price very earnest in efforts to extradite criminals. I sent Sheriff Leo's report by mail from Hidalgo, which will enable you to judge of disposition of Mexican authorities to surrender criminals of their origin. This is status of extradition matter to date.

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

RIO GRANDE CITY, TEX., September 30, 1877.

SIR: I have the honor to inclose to you a translated copy of the last communication received relating to the extradition of criminals.

The construction placed upon the treaty by the Mexican authorities certainly will make it a dead letter.

I have answered the communication, declining to discuss any farther the treaty, as my views and the views of my government had been fully expressed in a former communication.

With considerations of respect and esteem, I have the honor to be, your obedient servant,

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

His Excellency R. B. HUBBARD,
Governor, Austin, Tex.

[Translated and inclosed by Judge Russell.]

In pursuance of the duty of the justice which is administered in Mexico, in accordance with its legislation and the extradition treaty of criminals entered into with the North American Republic, my predecessor proceeded to dispatch the proper orders for the apprehension of the persons to whom you refer in your requisition note of the 30th of last August.

Two of the parties demanded, Carter and Zamora, were arrested in their houses in the town of Reynosa, and conducted before this tribunal. Within this jurisdiction Garcia was also arrested, and Rameirez was in custody in the city jail, sentenced to nine months' service on the public works for cattle-stealing. All have denied having any knowledge of, or intervention in, the murder of Alexander Morel, which occurred, according to the indictment of the grand jurors of the county of Hidalgo, State of Texas, on the 23d of March, 1875.

The same persons allege that they have never lived in the county of Hidalgo, State of Texas, but that they have always resided on Mexican soil, on which they were born, and have never changed their nationality.

It is not within the province of this tribunal, in its special character as extradition agent for the republic of Mexico, to inquire into the truth of the crime of the murder of Morel, because this is considered to belong to the judicial authorities of the State of Texas; but, however, I will now state that the indictment by the judicial authorities of the State of Texas, which you have inclosed to me with your note of August 30, is the only evidence to me of any offense committed, and I do not believe that it alone is a compliance with the second part of the first article of the treaty celebrated between the two republics on the 11th day of December, 1861.

Pursuant to the duty of this tribunal to ascertain two essential circumstances—one, the nationality of the persons alluded to, and the other, their constant residence on Mexican soil without having changed it to the State of Texas—proceedings are being had to that end, the result of which I will give you timely notice of; so that I may resolve from them whether or not the extradition can take place under the final part of the sixth article of the same treaty.

The extradition, I consider, cannot be accomplished with solely the identification of the persons demanded; for this could only serve to prove the persons and names of the parties; but this tribunal could not base on that alone a decree of the extradition, as requested by you in your note of the 15th instant, to which I refer in this communication; and even as to that proceeding of identification, I feel bound to state to you that the sheriff of the county of Hidalgo, A. J. Leo, and John O. Thompson, did not present themselves yesterday, to proceed in the order prescribed by the laws of this country, which this tribunal cannot disregard, not even in special cases such as the present one, without incurring a responsibility.

With due considerations of attention and respect, I have the honor to subscribe myself your obedient servant.

Liberty in the constitution.

H. Matamoras, September 18, 1877.

JOSE MA. VILLEREAL

Hon. JOHN C. RUSSELL,
*Extradition Agent of Criminals between the United States of
North America and Mexico, Brownsville.*

[Telegram.]

LAREDO, TEX, October 3, 1877

His Excellency R. B. HUBBARD, *Governor*:

I received last night, from commander Fort Brown, the following telegram :

"The five prisoners held in Matamoras, and for whom you have been making requisitions, were yesterday released and turned loose.

(Signed)

"PRICE."

The prisoners referred to are three murderers from Hidalgo and two murderers from Duval, who have been heretofore demanded.

Have you any instructions to give?

JOHN C. RUSSELL,
Extradition Agent and Commissioner.

[Telegram.]

EXECUTIVE OFFICE, STATE OF TEXAS,
Austin, October 8, 1877.

Hon. JOHN C. RUSSELL,
Extradition Agent, Laredo, Tex. :

Your dispatch informs me, covering same advices from Colonel Price, of United States Army, that Mexican authorities have at last set the extradition treaty openly at defiance.

Inform them that I shall regard their action in releasing these murderers indicted in Texas, and formally demanded by you, as conclusive evidence of either inability to observe the treaty or hostility to all Texans and Americans, or perhaps both.

You will cease to make other demands until further orders.

I shall now appeal to the United States Government for redress of our wrongs, so long continued.

R. B. HUBBARD,
Governor.

EXECUTIVE OFFICE, STATE OF TEXAS,
October 9, 1877.

I hereby certify the above and foregoing pages, numbered 1 to 60, (both inclusive,) contain true copies of the papers therein referred to, now on file in this office.

THOMAS P. MARTIN,
Private Secretary.

No. 45.

Mr. Evarts to Governor Hubbard.

DEPARTMENT OF STATE,
Washington, October 22, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th instant, informing me of the recent action of the authorities of Mexico in regard to certain demands made by you upon that government, under the treaty of extradition between the United States and Mexico, for criminals committing offenses in the State of Texas.

I am, &c.,

WM. M. EVARTS.

WAR DEPARTMENT.

WAR DEPARTMENT,

Washington City, November 7, 1877.

SIR: In response to your request therefor, I have the honor to transmit all the information in the possession of this department referring to the condition of the Mexican border in Texas, and to any recent violation of the territory of the United States by incursions from Mexico, which was called for in the resolution of the House, offered by Hon. Mr. Schleicher.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The PRESIDENT.

Copies of papers relating to the condition of the Mexican border of Texas, and to violation of the territory of the United States by incursions from Mexico since March 3, 1877.

PART I.

A.—Orders of the President for the suppression, by United States troops, of raiding, &c., from Mexico, and correspondence in relation thereto.

B.—Attack by armed Mexicans on the jail at Rio Grande City, and release of prisoners therefrom.

C.—Disturbances at San Elizario, El Paso County, Texas.

D.—Miscellaneous reports and correspondence from March 3 to July 5, 1877.

Official:

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, November 7, 1877.

A.

ORDERS OF THE PRESIDENT FOR THE PREVENTION, ETC., BY UNITED STATES TROOPS, OF RAIDING FROM MEXICO, AND CORRESPONDENCE IN RELATION THERETO.

WAR DEPARTMENT,
Washington City, June 1, 1877.

GENERAL: The report of W. M. Shafter, lieutenant colonel Twenty-fourth Infantry, commanding the district of the Nueces, Texas, concerning recent raids by Mexicans and Indians from Mexico into Texas for marauding purposes, with your indorsement of the 29th ultimo, has been submitted to the President, and has, together with numerous other reports and documents relating to the same subject, been duly considered.

The President desires that the utmost vigilance on the part of the military forces in Texas be exercised for the suppression of these raids. It is very desirable that efforts to this end, in so far at least as they necessarily involve operations on both sides of the border, be made with the co-operation of the Mexican authorities; and you will instruct General Ord, commanding in Texas, to invite such co-operation on the part of the local Mexican authorities, and to inform them that while the President is anxious to avoid giving offense to Mexico, he is nevertheless convinced that the invasion of our territory by armed and organized bodies of thieves and robbers, to prey upon our citizens, should not be longer endured.

General Ord will at once notify the Mexican authorities along the Texas border of the great desire of the President to unite with them in efforts to suppress this long-continued lawlessness. At the same time he will inform those authorities that if the Government of Mexico shall continue to neglect the duty of suppressing these outrages, that duty will devolve upon this government, and will be performed, even if its performance should render necessary the occasional crossing of the border by our troops. You will therefore direct General Ord that in case the lawless incursions continue, he will be at liberty, in the use of his own discretion, when in pursuit of a band of the marauders, and when his troops are either in sight of them or upon a fresh trail, to follow them across the Rio Grande, and to overtake and punish them, as well as retake stolen property taken from our citizens and found in their hands, on the Mexican side of the line.

I have the honor to be, very respectfully,

GEO. W. McCRARY,
Secretary of War.

General W. T. SHERMAN,
Commanding Army of the United States.

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., June 2, 1877.

GENERAL: I now have the honor to inclose you an authentic copy of a letter of June 1, this day received from the honorable Secretary of War, defining clearly the policy to be followed on the Mexican border of Texas. Please remit a copy of the same to General Ord, commanding Department of Texas, who started hence yesterday for his post, advised in general terms of the substance of this letter.

I have the honor to be, your obedient servant,

W. T. SHERMAN,
General.

General P. H. SHERIDAN,
Commanding Military Division of the Missouri, Chicago, Ill.

WAR DEPARTMENT,
Washington City, June 1, 1877.

SIR: I have the honor to transmit herewith, for your information, a copy of instructions issued to General W. T. Sherman, commanding the Army of the United States, in relation to the suppression of raids by marauding parties from Mexico across the border into Texas.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, June 5, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 1st instant, inclosing a copy of the instructions addressed by you to General W. T. Sherman, in relation to the suppression of raids by marauding parties from Mexico into Texas.

I am, sir, your obedient servant,

WM. M. EVARTS.

HON. GEORGE W. MCCRARY,
Secretary of War.

DEPARTMENT OF STATE,
Washington, June 8, 1877.

SIR: I have the honor to transmit herewith a copy of a letter, dated the 28th instant, which has been this day received from the minister of the United States at Mexico, with regard to the action which will be taken by Mexico with respect to the troubles on the border.

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

WM. M. EVARTS.

HON. GEORGE W. MCCRARY,
Secretary of War.

[Indorsement on letter.]

Referred from War Department to General of the Army.

HEADQUARTERS OF THE ARMY,
Washington, June 9, 1877.

Respectfully returned to the Secretary of War, inclosing, for the information of the Department of State, a copy of my dispatch to Lieutenant-General Sheridan, conveying to him the orders of the Secretary of War on the subject. A copy of these papers was furnished General Sheridan by the Adjutant-General.

W. T. SHERMAN,
General.

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., June 9, 1877—12.25 p. m.

The Secretary of War has received, through the State Department, a letter from Mr. Foster, our minister at the city of Mexico, dated May 28, 1877, in which he says the President of the Mexican Republic is at last awakened to the importance of repressing "outlawry" on the Texas frontier; that he will send a prudent general to that frontier, with an adequate force, and instructions to co-operate cordially to that end with General Ord.

The whole correspondence will come to you by mail, but meantime the Secretary of War wants you to instruct General Ord to meet this offer of reciprocity cordially, to meet or correspond with the Mexican general thus sent to the frontier, and not to be hasty in pursuit across the border, except in an aggravated case.

W. T. SHERMAN,
General.

General P. H. SHERIDAN,
Commanding Military Division of the Missouri, Chicago, Ill.

WAR DEPARTMENT,
Washington City, June 19, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 8th instant, transmitting a copy of a letter from the minister of the United States at Mexico, stating that the President of the Mexican Government will dispatch to the Rio Grande border a prudent general, with a view to co-operate with General Ord in repressing outlawry, and beg to inclose for your information a copy of instructions issued by the General of the Army on the subject.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, July 16, 1877.

GENERAL ORD, *San Antonio, Tex.:*

Telegram of Saturday is amended to omit your telegraphing General Treviño's instructions, as the Secretary has just received from our minister to Mexico a printed slip, believed to contain them.

The slip begins, "Department of War. The United States War Department has issued," &c., and concludes, with date June 18, "Pedro Ogazon. To the General of Division Gerónimo Treviño. In command of his forces. Piedras Negras."

VINCENT, A. A. G.

MEXICAN MINISTER OF WAR'S ORDER.

DEPARTMENT OF WAR.

The United States War Department has issued an order on the 1st instant, a translated copy of which I herewith inclose, authorizing the troops of that country to invade our national territory, with the object of pursuing the evil-doers to which it refers, to capture the same, punish them, and recover the property stolen from United States citizens.

Although the plenipotentiary of Mexico at Washington, who protested against that order, on account of the offense that it implies toward our country, assures the foreign department by telegraph that he has received friendly explanations from the American Government, the President thinks that the honor of the country will not be satisfied except with a modification of the said order in such terms that it shall not be in contradiction, as it is now, with the treaties in force between Mexico and the United States, with the rules of international law, and even with the practice of civilized nations.

The President has already disposed what is convenient in order that the serious questions to which that order has given rise be treated in a suitable form and manner with the Cabinet of Washington; but as its urgency on the frontier of the neighboring republic may occasion conflicts between the two nations even before those questions can be discussed, the same supreme magistrate has deemed it his duty to communicate to you, as commander of the line of the North, certain instructions which may prevent, as far as possible, the said conflicts, or at least, in an extraordinary case preserve the honor and dignity of the republic.

Therefore the President determines that as soon as you receive the present communication you shall order the division under your command to be situated at such points as you may deem convenient, with the object of protecting the Mexican frontier, and preventing that the robbers of either side of the Rio Grande shall remain unpunished for the mere fact of crossing the river. To this effect you will, with the utmost zeal and activity, pursue the evil-doers that may commit any robberies on Mexican territory who seek to escape to the United States, as well as those who, committing any robberies in the neighboring country, shall come to Mexico fleeing from justice, and seeking impunity in our territory. These persecutions which you may order shall only be made

within the limits of the republic, and once that the criminals shall have been captured, you will place the same at the disposition of the competent courts.

Mexico has celebrated with the United States an extraordinary treaty which was published on the 20th of May, 1862. This treaty is in full force, and you will subject your conduct to the same whenever any criminals captured by your forces be claimed by the military or civil authorities of the neighboring republic, and those that may have committed any of the offenses stipulated in the said treaty.

Whenever, in order to effect the pursuit referred to, it be necessary to act in accord with the military or civil authorities of the United States, you will invite the same, so that they may co-operate with you toward the success of the respective operations.

And when you, on the other hand, receive a like invitation from the said authorities, you will zealously endeavor to accede to it, doing everything in your power in order to capture the criminals. This agreement between the commanders and authorities of both countries shall in no case authorize the passing of foreign troops into our territory, an authorization which cannot be granted even by the President of the republic, because fraction 16, article 72, of the federal constitution, reserves it exclusively to the congress of the Union. In obedience to that law, you will by no means consent that the troops of the United States enter our territory, and out of respect to the sovereignty of that republic, you will likewise prevent Mexican forces from trespassing on foreign soil.

At the shortest possible time you will communicate to General Ord, or to the superior commander of the United States forces on the frontier, these instructions, acquainting him at the same time with the dispositions you may dictate in order to render them effective. You will also endeavor to accord with the said commander with regard to the operations to be undertaken, in combination with him, for the capture of evildoers and their most effective punishment, giving him to understand that the desires of the President on this point have no other restrictions than those imposed upon him by international law, the treaties now in force between the two countries, and the dignity of the republic. And, as a consequence of those restrictions, you will inform the said commander that, as the Government of Mexico cannot allow a foreign force to enter the national territory without the consent of the congress of the Union, and much less that the said force shall come to exercise acts of jurisdiction, as those expressed in the order of the United States War Department, you will repel force by force should the invasion take place.

In dictating this extreme measure, the President has had in view those considerations which no Mexican can forego when the defense of the national honor is in question; the supreme magistrate of the republic believes that he faithfully interprets the feelings of the Mexicans, if he accepts the situation in which he is placed, rather than the humiliation of an offense which would reduce Mexico to the condition of a barbarous country and beyond the communion of international law. The President does not wish, however, that the attitude assumed by the soldiers of the republic in front of troops trespassing upon our territory, infringing international law, be reputed as an act of hostility towards the United States, but that it be considered as the exercise of the legitimate right of self-defense, that appeals to arms only in the extreme case when amicable means are unavailable to make it respected.

This is not the proper time, nor is it of the incumbence of this department, to discuss the order of the United States War Department, showing the errors contained in Colonel Shafter's report, which has given rise to the same, nor inquiring into whether the Mexican Government has neglected its duty in preventing on its part the depredations of the marauders on the frontier, a reason or motive appealed to by the American Government in order to take upon itself the fulfillment of that duty, ordering even the invasion of our territory. In order to treat this matter conveniently, the necessary instructions have been given to our minister at Washington.

I request you to appoint a commissioner *ad hoc* near the American commander, who shall express to him what I have here stated. Send to the said commander by that commissioner a certified copy of this communication, so that he may become thoroughly acquainted with the measures dictated by the government of the republic.

I deem it unnecessary to recommend to you the faithful and exact fulfillment of the instructions I hereby communicate to you by order of the President. Our national honor is therein interested, and this suffices to expect of your patriotism to act with the prudence demanded by this serious question in order to avoid any cause of conflict between the two countries, acting, however, with due energy, and repelling with force the insult that it is being sought to inflict on Mexico, by the invasion of her territory.

City of Mexico, June 18, 1877.

PEDRO OGAZON.

To the General of Division GERÓNIMO TREVINO. *In command of his forces. Piedras Negras.*

MEMORANDUM OF POINTS NOTICED BY THE MINISTER OF THE UNITED STATES IN CONFERENCE AT THE MEXICAN FOREIGN OFFICE.

I.—The instructions given to General Ord is not the announcement of a new measure on the part of the Government of the United States.

Mr. Nelson, on the 4th of January, 1871, applied to the executive for permission for the United States troops to cross the frontier; and April 12, 1871, he renewed the application, suggesting that the Mexican congress be solicited to grant said permission, both of which applications were declined.

The Secretary of State of the United States, Mr. Fish, on the 30th of April, 1875, submitted to Mr. Mariscal, for the consideration of his government, a reciprocal proposition to allow the troops of either government to cross the frontier of one or the other nation in close pursuit of raiders and outlaws and capture them; stating to Mr. Mariscal at the same time that the public mind not only in Texas, but throughout the United States, was such that the outrages committed from Mexican territory in Texas could no longer be tolerated. This was not accepted by the Mexican government.

On the 26th of June, 1875, the undersigned renewed the request made by Mr. Nelson, and the minister of foreign affairs (Mr. Lafragua) replied that the executive had no authority to grant it, and that it would not be prudent to ask the consent of Congress. On the 6th of July, 1875, the raids from Mexico continuing, the undersigned informed the minister of foreign affairs that unless the depredations ceased such a measure as that announced in the instruction to General Ord might be anticipated; adding in the same connection, referring to the raids from Mexico, that protection to the citizens of Texas must be afforded; if not given by the Mexican Government, it would come from the United States. (United States Diplomatic Correspondence of 1875.)

On the 23d of April of the present year, in an interview had with Minister Vallarta, in reporting to him the murder of seventeen American citizens in Texas in the previous few months by Indians from Mexico, the undersigned informed him that the recommendation of Colonel Shafter, that the only way to put a stop to the raids was to follow the delinquents into Mexico and attack them in their lairs, would have to be taken into serious consideration by the Government of the United States, if the Mexican authorities are unable or unwilling to check the depredations.

II.—The depredations of the past four years have not been common to both sides of the frontier.

Under date of the 20th of May, 1875, the Secretary of State, Mr. Fish, stated that it was frivolous to seek to justify the hostile incursions into American territory on the ground of retaliation for similar excursions from the American side. He adds: "There have been none such, and proof of the contrary is challenged." On the 26th of June, 1875, the undersigned, by instruction from his government, gave to the Mexican minister of foreign affairs the above declaration contained in Mr. Fish's dispatch, and challenged him to furnish proof to the contrary. The minister promised to examine the data in his department and ask information of the governors of Tamaulipas and Coahuila, and to furnish the legation with the result of his investigation. Not a single fact or instance has as yet been furnished.

The investigations of the Mexican border commission relate to events which occurred previous to 1873.

III.—Mexico has taken no adequate or vigorous measures to prevent the depredations or punish the outlaws.

The undersigned has repeatedly called the attention of the Mexican Government to the long list of depredations and outrages which have been inflicted upon the people of Texas by raiding bands from Mexico, as the records of the Mexican foreign office show, and he has urged that an adequate federal force under an able and prudent general of high rank be sent to that frontier to co-operate with the American troops in the suppression of the raids. These matters he frequently pressed upon the past administration; and immediately upon the accession of Mr. Vallarta to the department of foreign affairs, in December last, his attention was called to the condition of affairs on the frontier, urging early measures for its peace and order, assuring him that it was essential to the maintenance of cordial relations between the two countries, and renewing the suggestion that a federal force, under an experienced officer of high rank, be at once dispatched to the Rio Grande. Although this subject has been frequently brought to the attention of the minister in the past six months, up to the date of the receipt of the recent order of the Secretary of War of the United States, absolutely nothing has been done to repress the raids or co-operate with the American troops, so far as this legation has received information.

Notwithstanding the long list of these outrages, which the undersigned has brought to the attention of the Mexican Government in the past four years, which include murders, arson, plundering of government post-offices and custom houses, robberies, and other outlawry, not a single punishment has resulted on the part of the Mexican authorities.

IV.—Mexico has frequently acknowledged its inability to discharge its duty in regard to the preservation of peace on the Rio Grande frontier, giving as a reason its internal dissensions.

For eighteen months preceding the fall of the past administration, in reply to the remonstrances of the undersigned, the minister of foreign affairs pleaded as an apology for the inefficiency and neglect of his government in repressing raids into the United States that the whole force of the army was required elsewhere to resist the revolution of General Diaz. (See United States Diplomatic Correspondence, 1875.)

The reasons given at various times to the undersigned by the present government for its postponement of attention to the subject and the disposition of a federal force and prominent officer to preserve the peace on the Rio Grande and co-operate with the American troops in preventing raids, has been the disturbed state of the affairs of this republic consequent on the revolution and the necessity of first establishing its internal government.

If one of the rival claimants to the presidency succeeds in establishing a foot-hold on Mexican territory and in organizing a counter-revolution, will not necessity again compel the government to devote all its energy and power to the suppression of the new revolution, and abandon the Mexican side of the Rio Grande to the raiders and outlaws?

V.—*The instructions to General Ord are misinterpreted by the Mexican Government.*

They are not an unconditional order to cross the frontier into Mexican territory. General Ord is first instructed to do what the undersigned has been engaged in doing without effect for three years past: to call upon the Mexican authorities to co-operate for the suppression of the raids of armed and organized bodies of thieves and robbers. He is to give the authorities notice that the depredations upon the citizens of Texas can no longer be endured; and that, if the Government of Mexico shall continue to neglect its duty in suppressing this lawlessness, that duty will devolve upon the Government of the United States. It is only after invitation to co-operate, and after Mexico has declined and continues to neglect its duty, that General Ord is granted discretion to follow the outlaws across the border when in hot pursuit.

VI.—*In view of the foregoing facts, the declaration of the Mexican minister of war is unwarranted wherein it is officially asserted that the instructions to General Ord are in contradiction with treaties between Mexico and the United States, with the rules of international law, and even with the practice of civilized nations.*

Such charges in an official document of the government are sufficiently serious to excite apprehensions for the maintenance of cordial relations; but the undersigned has been profoundly surprised, and has deeply regretted, that it should have been thought necessary or proper to assert in an important public order, issued by direction of the chief executive, that in giving the instructions to General Ord the Government of the United States was seeking to insult Mexico. It might have been supposed that, in the haste with which the order of the minister of war may have been written, there was no premeditated intent to so grossly question the motives which influenced the Government of the United States; but the intent of the executive would seem to be deliberate, when, three days after the publication of the order, the Mexican Government has inserted in its official journal the statement that the order of the President of the United States, through the Secretary of War, was brought about by the efforts of a private citizen of the United States and Mr. Lerdo, through sinister motives, and by a group of adventurers and speculators.

JOHN W. FOSTER.

(Copy left at the Mexican foreign office June 23, 1877.)

B.

ATTACK BY ARMED MEXICANS ON THE JAIL AT RIO GRANDE CITY, AND
RELEASE OF PRISONERS THEREFROM.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., August 13, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch from General Ord is forwarded for the information of the honorable Secretary of War.

P. H. SHERIDAN,
Lieutenant-General.

"The following just received :

"'RINGGOLD BARRACKS, August 12.

"Between 1 and 2 o'clock this morning an armed band of from ten to fifteen men crossed from the Mexican side into Rio Grande City, attacked the jail, and released two notorious criminal murderers and horse-thieves, wounding the county attorney and the three jailers severely. As soon as notification reached me I sent Lieutenant Fountain with twenty-five men in pursuit, and followed at day-break with the balance of my mounted command. The river was carefully followed, and they were found to have crossed to the Mexican side at a point near the rancheros, seven miles above here, about one hour before Fountain's party reached there. Two of the party were recognized as desperadoes who made their headquarters in Camargo. I have called upon the military and civil authorities of Camargo and Ulier in conjunction with civil authorities here for the apprehension and delivery of these outlaws. I think these high-handed outrages should be immediately followed up by a demand on their government for their surrender. Am ready with one hundred men and two Gatling guns.

"'PRICE.'

"I would cross troops and demand them at once, but the guilty parties are doubtless beyond reach. Unless prompt and decisive measures are taken by the government, the actors in this outrage will be emboldened to repeat it on a larger scale.

"ORD,
"Brigadier-General."

WAR DEPARTMENT.

Washington City, August 18, 1877.

SIR: I have the honor to transmit, for your information, a copy of a telegram from General Ord, communicating intelligence received from Generals Canales and Treviño, relative to the measures taken by the Mexican authorities for the apprehension of the escaped prisoners from Rio Grande City jail, and concerning the assault on said jail by the Mexican bandits.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The Hon. the SECRETARY OF STATE.

[Telegram.]

SAN ANTONIO, TEX.,
August 14, 1877—10.41 a. m.

To G. W. MCCRARY,
Secretary of War, Washington, D. C.:

Colonel Price answers Segurdo Garcia is a notorious outlaw, acknowledged as such by Mexican authorities, boasts to have killed twenty-seven Americans. Esperanzeda was arrested with stolen horses in his possession, claims to be a captain in Escobedo's army. Communicated with that gentleman after arrest. Nationality of neither known.

ORD,
Brigadier-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 15, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

[Telegram.]

SAN ANTONIO, TEX.,
August 14, 1877—8.28 p. m.

GEORGE W. McCRARY,
Secretary of War, Washington :

Names of two prisoners released at Rio Grande by raiders, named Segunda Garcia and Rudolfo Espronseda. Will ask their nationality and telegraph reply. Four-fifths voters of that county speak only Spanish.

ORD,
Brigadier-General.

WAR DEPARTMENT,
Washington City, August 16, 1877.

SIR : I have the honor to transmit for your information a copy of a telegram from Brig. Gen. E. O. C. Ord, who states that Colonel Price informed him that Segundo Garcia is a notorious outlaw, and acknowledged to be such by Mexican authorities. Also communicates the intelligence that one Espanzeda was arrested with a stolen horse in his possession, and claims to be a captain in Escobedo's band.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk, for the Secretary of War, in his absence.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 30, 1877.

SIR : I have the honor to acknowledge the receipt of your letter of the 18th instant, inclosing a copy of a telegram from General Ord, in relation to the measures taken by the Mexican authorities for the apprehension of the escaped prisoners from Rio Grande City jail, and the assault on the jail by Mexican bandits.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 13, 1877.

General TREVIÑO,

Commanding the Rio Bravo Line:

(Care of General Sweitzer, commanding district of Rio Grande, Fort Brown.)

GENERAL: The attack on the jail at Rio Grande City, the liberation of two prisoners, and consequent wounding of four State officials of Texas, by a party of outlaws from Mexico, while it pertains more to civil than military affairs, is an unfortunate disturbance of the better feeling on the border which you and I were successfully introducing. I hope the authorities of Tamaulipas will be able to punish the offenders, and return the released prisoners; unless they do, it will be difficult to convince the President of the United States that they are not in sympathy with the outlaws, or powerless to prevent such incursions.

ORD,
Commanding Department.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 13, 1877.

Respectfully forwarded to the Adjutant-General of the Army, for the information of the Secretary of War.

E. O. C. ORD,
Brigadier-General U. S. A., Commanding.

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 20, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 21, 1877.

SIR: I have the honor to transmit, for your information, copy of a telegram of the 13th instant, from General Ord to the Mexican General Treviño, relative to the attack on the jail at Rio Grande City, the liberation of prisoners, and wounding of four officials of the State of Texas.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE.
Washington, August 24, 1877.

SIR: I have the honor to acknowledge the receipt of your communica-

tion of the 21st instant, in relation to the attack on the jail at Rio Grande City by a party of outlaws from Mexico, the liberation of prisoners, &c.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRAHY,
Secretary of War.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 16, 1877.

ADJUTANT-GENERAL,
Washington, D. C.:

The following just received :

"BROWN, August 15, 1877.

"A. A. G.:

"General Benavides has offered \$2,000 reward for the escaped prisoners, and is making every exertion to capture them. The party were desperadoes who place at defiance the laws of Mexico as well as the United States. The disturbed condition of the frontier, in a continual state of anarchy, gives them immunity from punishment.

"The central government is very little respected by their leaders on this frontier; if the government established, it is proposed to make a change and endeavor to get order out of the confusion.

"SWEITZER,
"Commanding District."

MATAMORAS, August 15, 1877.

The following received from General Treviño, dated 14th:

"General ORD:

"Your telegram concerning assault by bandits on jail at Rio Grande City, which you considered done by Mexicans, received. I doubt Mexicans crossed to do this, there being plenty to do it on that side; nor do I think it just to hold authorities of Tamaulipas responsible for assaults perpetrated in another country, whether by Mexicans or not. My government will use means at hand to protect residents, but can't go beyond her limits to protect foreign towns. General Canales and civil officers have taken prompt measures to arrest the offenders who made the assault, notice having arrived of their crossing. I repeat that the acts committed beyond jurisdiction of her officers are no just cause of complaint against this government.

"CANALES."

Above is brief of Trevino's telegram.

ORD,
Brigadier-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 17, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., August 15, 1877.

Gen. E. D. TOWNSEND,
Washington, D. C.:

The following dispatch from General Ord is respectfully forwarded.
P. H. SHERIDAN,
Lieutenant-General.

The following received:

"BROWNSVILLE, TEXAS, August 14.

"General ORD,
"San Antonio:

"I deeply regret the incident happening in Davis's ranch. Steps have been and will be taken to prosecute the outlaws. Some of them are residents of the American frontier, and one of the liberated prisoners has relatives fifteen miles from Davis, in a ranch called Encinal Delos Ermos. It may be that the plan was conceived by the Escobeda agents in order to create difficulties between the authorities of both frontiers. One of the released prisoners is a captain of Escobeda's band. Be sure that on our side everything that ought to be done is being done, and that troops have been moved in every direction on the track of the fugitives. I am informed that Escobeda has two encampments in the surroundings of Laredo, Texas.

"GENERAL BENAVIDES."
ORD,
Brigadier-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 15, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 16, 1877.

SIR: I have the honor to transmit for your information a copy of a dispatch received by General Ord from the Mexican General Benavides, relative to the incident at Davis's ranch, and stating that steps have been taken to prosecute the outlaws; that Mexican troops are moving in every direction on the track of the fugitives; that one of the escaped prisoners is a captain in Escobeda's band, and that the plan may have been conceived by Escobeda's agents.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk, for, and in the absence of, the Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 20, 1877.

SIR: I have the honor to acknowledge the receipt of your communications of the 16th instant in relation to Mexican affairs.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCURRY,
Secretary of War.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 17, 1877.

ADJUTANT-GENERAL, Washington:

Just received from General Sweitzer the following:

"Three of the outlaws were caught last night—Camargo, the leader, and two others; the band consisted of eight, two of which are residents of Texas, five Mexicans, and one nationality unknown. General Benavides feels sure that the balance, including the prisoners, will be caught. Authorities have their names."

ORD,
Brigadier-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 18, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 24, 1877.

SIR: I have the honor to transmit, for your information, copy of a dispatch of the 17th instant, communicating a telegram from General Sweitzer to the effect that Camargo and two other outlaws were caught last night, and the rest of the band, consisting of eight, were expected to be captured soon.

Very respectfully, your obedient servant,

GEO. W. McCURRY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 29, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 24th instant, inclosing a copy of a telegram from General Sweitzer,

reporting that Camargo (the leader) and two other outlaws were captured on the night of the 16th.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

HON. GEORGE W. MCCRARY,
Secretary of War.

[Telegram.]

MATAMORAS, MEXICO, August 15, 1877.

General ORD:

The Citizen General Geronimo Treviño, of date of yesterday, from Cadereyta, directs me to transmit to you the following telegram, which was deposited in Cadereyta on the 14th August, 1877, and received at Matamoras the same day at 5.55 p. m.

"To General CANALES:

"Be kind enough to transmit to General Ord the following:

"GENERAL: By your telegram, dated yesterday, I am informed that the prison at Rio Grande City was carried by assault by bandits; that, according to your idea, they are Mexicans or persons resident in this country. With this object, you will permit me to observe that I do not think it probable that people have passed from Mexico to commit this crime, because in Rio Grande City there is an infinity of persons of different nationalities, and I do not think it just that the authorities of Tamaulipas should be inculpated for assaults perpetrated in another country, even if by Mexicans or persons of another nationality.

"I have told you that the government of my country will use such means as she has at hand to give protection to the residents in Mexican territory, but it will not be possible to take care also and insure the same security to the pueblos of foreign territory.

"General Canales and the civil authorities of Tamaulipas have taken energetic measures to arrest the offenders who made the assault on Rio Grande City. Notice has been received of the crossing of said bandits into Mexico with the object of escaping. For this reason I have communicated with General Canales, and I again repeat to you, that no measures will be omitted to correct these abuses within the jurisdictional limits, but that acts for which the comunal alone is responsible should not furnish a just cause of complaint against Mexico when the crimes are committed beyond the reach of the Mexican authorities.

"GERONIMO TREVIÑO."

This is translated for your information, in compliance with orders received from General Treviño.

SERVANDA CANALES.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 23, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 25, 1877.

SIR: I have the honor to transmit for your information copy of a dispatch to General Ord from General Geronimo Treviño, in regard to the bandits that liberated the prisoners from the jail at Rio Grande City.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 27, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 25th instant, inclosing copy of a telegram from General Treviño to General Ord, in relation to the bandits who liberated the prisoners from the jail at Rio Grande City.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., August 21, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The Mexican General Benavides telegraphs General Ord under this date, as follows: "Rudolpho Espronceda, one of the prisoners released by the brigands, was caught on the 17th in Guerero."

P. H. SHERIDAN,
Lieutenant-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 22, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 22, 1877.

SIR: I have the honor to transmit, for your information, copy of a dispatch from General Sheridan, communicating a telegram from the Mexican General Benavides, to the effect that Rudolpho Espronceda, one of the prisoners released by the brigands, was caught on the 17th, at Querero.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 25, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 2d instant, inclosing a copy of a telegram announcing the capture at Querero of one of the prisoners released by brigands.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. MCURARY,
Secretary of War.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., September 12, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

General Ord, under this date, reports that three of the parties concerned in the Rio Grande jail-breaking were delivered last night to the United States authorities at Brownsville, under the extradition treaty.

P. H. SHERIDAN,
Lieutenant-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, September 13, 1877.

Respectfully submitted to the Secretary of War, with copy for the Secretary of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, September 14, 1877.

SIR: I have the honor to transmit, for your information, copy of a dispatch of the 12th instant from General Sheridan, communicating a report of General Ord that three of the party concerned in the jail-breaking at Rio Grande were delivered last night to the United States authorities at Brownsville, under the extradition treaty.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk, for the Secretary of War, in his absence.
The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, September 18, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, with its accompaniment, informing me that three of the parties concerned in the jail-breaking at Rio Grande have been de-

livered to the United States authorities at Brownsville, under the extradition treaty.

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

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. MCCRARY,
Secretary of War.

C.

DISTURBANCES AT SAN ELIZARIO, EL PASO COUNTY, TEXAS.

EL PASO, TEX., August 17, 1877.

SIR: I have the honor to report everything quiet here since my communication of the 8th instant. The attack anticipated by the Mexican authorities on the 10th instant did not take place. The official notice of the arrest of Lerdo leaders on the Lower Rio Grande, has had a salutary effect on Lerdo's followers in this vicinity. It is my firm belief that all danger is over from any formidable organization for the invasion of Mexico from this side of the river.

Very respectfully, your obedient servant,

L. H. RUCKER,
*First Lieutenant, Regimental Quartermaster
Ninth Cavalry, and Military Commander.*

ACTING ASSISTANT ADJUTANT-GENERAL,
District of New Mexico, Santa Fé, N. Mex.

[Translation.]

[SEAL.]

At the conference to which you kindly invited me on the 8th instant, I advised you that there would be a reunion in the Hueca Mountains, and that an attack would certainly be made on the people there on the 10th; but as that day passed without any such occurrence, I sent to learn the actual condition of affairs. Three days ago I received information that the movement had been abandoned on account of the promptness with which the inhabitants armed and placed themselves in a state of defense, and more particularly on account of the moral effect of the presence of the troops under your command, which is shown by the fact that many of the refugees of this frontier have returned, and they have been allowed to go to their homes, giving good security that they will not again take up arms or break the public peace. I inform you of this that there may be no misunderstanding in regard to my notice to you, which might happen by persons not acquainted with the circumstances.

I offer you herewith my respect and consideration.

Liberty in the Constitution.

VINCENTE OCHOA.

F. BARRUN, *Secretary.*

Citizen Captain L. H. RUCKER,
*First Lieutenant and Regimental Quartermaster,
Ninth Cavalry, Franklin, Tex.*

EL PASO, TEX., *August 23, 1877.*

SIR: I have the honor to report everything quiet here since my communication of the 17th instant. It is generally believed that the few followers of Machono who were known to have remained in this vicinity have left the country for good.

Very respectfully, your obedient servant,

L. H. RUCKER,
First Lieutenant, Regimental Quartermaster, Ninth Cavalry,
ACTING ASSISTANT ADJUTANT-GENERAL,
District of New Mexico, Santa Fé, N. Mex.

[Indorsement.]

HEADQUARTERS DISTRICT OF NEW MEXICO,
Santa Fé, N. Mex., September 5, 1877.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri.

Matters seem quiet enough at El Paso. The appearance of the troops impressing the certainty of capture of parties in attempted raid in the Lerdo interest, has so alarmed them that they have left the country, or given up all hope of Lerdo's success.

It will be well to keep an officer at El Paso, however, for some months to come.

EDWARD HATCH,
Colonel Ninth Cavalry, Commanding.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., September 13, 1877.

Respectfully forwarded to the Adjutant-General of the Army, through headquarters Military Division of the Missouri, for the information of higher authority.

JNO. POPE,
Brevet Major-General, U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, September 17, 1877.

Respectfully forwarded to the Adjutant-General of the Army, inviting attention to Lieutenant Rucker's report.

P. H. SHERIDAN,
Lieutenant-General Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, September 21, 1877.

Respectfully submitted to the Secretary of War with copy for the Department of State.

E. D. TOWNSEND,
Adjutant General.

WAR DEPARTMENT,
Washington City, September 22, 1877.

SIR: I have the honor to transmit for your information a copy of a report from Lieut. L. H. Rucker, Ninth Cavalry, dated El Paso, Tex.,

that matters are quiet at that place, and that it is his opinion that the followers of Machono have left the country for good.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

EL PASO, TEX., *August 27, 1877.*

SIR: I have the honor to report everything quiet here since my communication of the 23d instant.

Very respectfully, your obedient servant,

L. H. RUCKER,
First Lieutenant, Regimental Quartermaster, Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,
District of New Mexico, Santa Fé, N. Mex.

HEADQUARTERS DISTRICT OF NEW MEXICO,
Santa Fé, N. Mex., September 7, 1877.

Respectfully forwarded to the Assistant Adjutant-General, Department of the Missouri.

EDWARD HATCH,
Colonel Ninth Cavalry, Commanding.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., September 14, 1877.

Respectfully forwarded to the Adjutant-General of the Army through headquarters Military Division of the Missouri for the information of higher authority.

JNO. POPE,
Bvt. Major-General U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, September 18, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, September 24, 1877.

Respectfully submitted to the Secretary of War with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, September 25, 1877.

SIR: I have the honor to transmit for your information a copy of a report from Lieut. L. H. Rucker, Ninth Cavalry, under date of 27th ultimo, that everything has been quiet at El Paso, Tex., since his previous report dated August 23 last.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

EL PASO, TEX., *September 8, 1877.*

SIR: I have the honor to report everything quiet here since my communication of the 3d instant.

Very respectfully, your obedient servant,

L. H. RUCKER,

First Lieutenant and Regimental Quartermaster, Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,

District of New Mexico, Santa Fé, N. Mex.

[Indorsements.]

HEADQUARTERS DISTRICT OF NEW MEXICO,

Santa Fé, N. Mex., September 14, 1877.

Respectfully forwarded to the Assistant Adjutant-General, Department of the Missouri.

EDWARD HATCH,

Colonel Ninth Cavalry, Commanding,

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

Fort Leavenworth, Kans., September 24, 1877.

Respectfully forwarded to the Adjutant-General of the Army through headquarters Military Division of the Missouri for the information of higher authority.

JNO. POPE,

Bvt. Major-General U. S. A., Commanding,

HEADQUARTERS MILITARY DIVISION MISSOURI,

Chicago, September 27, 1877.

Respectfully forwarded to the Adjutant-General of the Army for the information of the War Department.

P. H. SHERIDAN,

Lieutenant-General Commanding.

ADJUTANT-GENERAL'S OFFICE,

Washington, October 2, 1877.

Respectfully submitted to the Secretary of War with copy for the Department of State.

E. D. TOWNSEND,

Adjutant-General.

WAR DEPARTMENT,

Washington City, October 4, 1877.

SIR: I have the honor to transmit for your information a copy of a report dated the 8th ultimo from Lieut. L. H. Rucker, Ninth Cavalry, reporting everything quiet at El Paso, Tex., since his last report dated September 3d last.

Very respectfully, your obedient servant,

GEO. W. McCRARY,

Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

CHICAGO, ILL., October 5, 1877.

(Received War Department 5 p. m.)

General E. D. TOWNSEND,

Washington:

Lieutenant Rucker, from El Paso, N. Mex., telegraphs that a mob of three hundred have placed several citizens at San Elizario under arrest, and asks for troops to be sent to El Paso and San Elizario. The only available troops we have to send are thirty cavalrymen, out as a guard to surveyors. These have been ordered to Lieutenant Rucker, who had previously been ordered to San Elizario to ascertain about troubles there.

P. H. SHERIDAN,
Lieutenant-General.

WAR DEPARTMENT,
Washington City, October 6, 1877.

SIR: I have the honor to transmit, for your information, a copy of a telegram from Lieutenant-General Sheridan, dated the 5th instant, stating that Lieutenant Rucker, from El Paso, N. Mex., telegraphs that a mob of three hundred have placed several citizens of San Elizario under arrest, and asks that troops be sent to El Paso.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, October 12, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 6th instant, inclosing a copy of a telegram from Lieutenant-General Sheridan, in relation to several citizens of San Elizario having been placed under arrest by a mob of three hundred persons.

I am, sir, your obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 7, 1877.

General E. D. TOWNSEND,

Washington, D. C.:

The following dispatch, forwarded by Colonel Andrews from Fort Davis, was received last night from General Ord. Lieutenant Rucker, at El Paso, some days ago reported the troubles at San Elizario, and was ordered by me to report on the disturbances. Subsequently, I gave an order to send thirty cavalrymen, that were escorting a surveying party, to strengthen him. The trouble is with our own population, and about

the location of the lands on which there are salt lakes. I have no reason to believe that any citizens of Mexico have taken part in the troubles, but the population of El Paso County is mostly composed of citizens of Mexican birth.

P. H. SHERIDAN,
Lieutenant-General.

"FORT DAVIS, TEXAS,
"October 4, 1877.

"ADJUTANT-GENERAL DEPARTMENT OF TEXAS:

"Requested by Judge Blacker to send the following: The Mexican population of El Paso County have risen *en masse*, seized all the civil authorities, Judges Howard and McBride, and hold all of them prisoners under guard and in jail. Rioters number about four hundred under arms. Have scouts and pickets out and sentinels posted; seem to be well organized. All the Americans in the county, numbering about thirty, in peril of their lives. No American is allowed to communicate with the prisoners. The rioters are expecting aid from volunteers from Mexican side of Rio Grande. The trouble from Zimpelman having located the salt lakes and through Howard prohibited getting salt without permission. Later: The sheriff has escaped. Colonel Hatch is expected in El Paso. The call is for at least two companies, with artillery. I have at this post, all told, one hundred and twenty-three fighting men. I think Louis Cardiz is behind all.

G. L. ANDREWS,
Colonel Commanding.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, October 8, 1877.

Respectfully submitted to the Secretary of War with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington, October 9, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from Lieutenant-General Sheridan, communicating a telegram from Col. G. L. Andrews in relation to the riotous conduct of the Mexican population of El Paso County, Texas.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

[Telegram.]

FORT LEAVENWORTH, KANSAS,
October 4, 1877.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Military Division Missouri, Chicago:

Following received by telegraph from General Ord:

"General B. C. Ludlow, banker, Austin, reliable Union officer, telegraphs that just received telegram of kidnaping on our side, by force of armed Mexicans, of Charles Howard, American gentleman, who was

taken to San Elizario, disarmed, and kept there under guard four hours. Howard was formerly district judge of El Paso. As I have no troops nearer than Fort Davis, send this for your action, and have so answered.

“ORD,
“Brigadier-General.”

The above is transmitted for any order the Lieutenant-General may desire to give. There are no troops in this department stationed anywhere near the locality named, nor can any be sent without great delay.

In absence of brigadier-general commanding,

PLATT,
Assistant Adjutant-General.

[Telegram.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, October 4, 1877.

COMMANDING GENERAL

Department Missouri, Fort Leavenworth, Kansas :

Referring to your telegram of this date forwarding dispatch of General Ord in regard to the kidnaping of Mr. Howard at San Elizario, the Lieutenant-General has no directions to give, except that it would be well to have Lieutenant Rucker or some other officer in that vicinity make a report of the facts in the case. If any injustice has been done Mr. Howard, he will have to make his complaint to the State Department.

M. V. SHERIDAN,
Lieutenant-Colonel and A. D. C.

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, October 5, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, October 9, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 12, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from General Ord, reporting the kidnaping of one Charles Howard, an American gentleman, by armed Mexicans, and his imprisonment at San Elizario for four hours.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

EL PASO, TEX., *September 27, 1877.*

SIR: I have the honor to report everything quiet here since my communication of the 22d instant.

Very respectfully, your obedient servant,

L. H. RUCKER,

First Lieutenant, Regimental Quartermaster Ninth Cavalry,

ACTING ASSISTANT ADJUTANT-GENERAL,

District of New Mexico, Santa Fé, N. Mex.

[Indorsements.]

HEADQUARTERS DISTRICT OF NEW MEXICO,

Santa Fé, N. Mex., October 5, 1877.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri.

In absence of Colonel Hatch.

JOHN S. LOUD,

Acting Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

Fort Leavenworth, Kansas, October 11, 1877.

Respectfully forwarded to the Adjutant-General of the Army, through headquarters Military Division of the Missouri, for the information of higher authority.

JNO. POPE,

Bvt. Major-General U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, October 15, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,

Lieutenant-General, Commanding.

ADJUTANT-GENERAL'S OFFICE,

Washington, October 18, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,

Adjutant-General.

WAR DEPARTMENT,

Washington City, October 19, 1877.

SIR: I have the honor to transmit copy of a communication from Lieut. L. H. Rucker, dated the 27th ultimo, reporting everything quiet at El Paso, Tex., since September 22.

Very respectfully, your obedient servant,

GEO. W. McCURRY,

Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 13, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following just received from General Pope:

"Lientenant Rucker telegraphs from San Elizario on 9th: 'Arrived here with detachment last evening. Mob dispersed to-day; everything quiet. Have had two meetings with members of mob; they will allow the law to take its course.' On the 11th he telegraphs from El Paso: 'Returned to-day; everything quiet at San Elizario this morning. Considerable excitement here caused by killing of Cardis by Howard yesterday. Don't anticipate any serious trouble.'"

P. H. SHERIDAN,
Lieutenant-General.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, October 15, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 16, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from Lieutenant-General Sheridan, communicating a dispatch from General Pope regarding troubles in El Paso County, and the killing of Cardis by Howard.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, October 20, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 16th instant, inclosing a copy of a telegram from Lieutenant-General Sheridan, communicating a dispatch from General Pope in regard to troubles in El Paso County, and the killing of Cardis by Howard.

I am, sir, your obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 15, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following telegram has been received from General Pope:

"The difficulties at El Paso and San Elizario are entirely between citizens of the State of Texas, Mexican and American, and I have instructed

Lieutenant Rucker not to interfere with them, except to prevent inroads from Mexican side."

P. H. SHERIDAN,
Lieutenant-General.

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,
Washington, October 18, 1877.

Lieutenant-General P. H. SHERIDAN,
Commanding Division Missouri, Chicago, Ill.:

State Department asks Secretary of War for more definite information than that heretofore furnished on the following points: Was the kidnaping by armed Mexicans of Charles Howard, an American citizen, perpetrated by an armed force coming across the boundary-line, or by Mexicans residing on this side? Did the affair take place in Elizario, Mexico, or in the American town of that name?

E. D. TOWNSEND,
Adjutant-General.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 18, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

Your telegram of this date received. No report of the circumstances attending the kidnaping of Charles Howard or his imprisonment has yet reached these headquarters, but it is more than likely it is *en route*, as an officer was sent to ascertain the facts. I will without delay direct General Pope to procure such information as will answer the questions in your dispatch.

P. H. SHERIDAN,
Lieutenant-General.

WAR DEPARTMENT,
Washington City, October 19, 1877.

SIR: I have the honor to transmit, for your information, copy of a telegram to General Sheridan, asking for definite information in regard to the arrest and confinement of Charles Howard, at San Elizario, and of General Sheridan's telegram in reply thereto.

Very respectfully, your obedient servant,

GEORGE W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 18, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

General Pope reports that Lieutenant Rucker telegraphs from El Paso on 12th: "Everything quiet at San Elizario and this place. Do not

anticipate further trouble until civil authorities attempt to arrest persons engaged in last riot."

P. H. SHERIDAN,
Lieutenant-General.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, October 18, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 19, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from Lieutenant Rucker, dated 12th instant, reporting everything quiet at San Elizario and El Paso.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 21, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch, just received from General Pope, is respectfully forwarded:

"Colonel Hatch, commanding in New Mexico, telegraphs as follows:

"The arrest of Charles Howard was perpetrated by armed Mexicans residing on this side, assisted by Mexicans from Mexico. Mr. Howard was imprisoned at San Elizario, Tex., and was sentenced to be shot by mob, but was finally released by mob. The affair took place in the American town of San Elizario, Tex., and grew out of trouble about location of salt lakes in El Paso County, Texas, in which Mexicans from both sides were interested. As heretofore reported, Lieutenant Rucker is instructed to abstain from interference in local disturbances, but to prevent any interference by Mexicans from the other side of the river, and to see that United States officials are not interfered with in discharge of their appropriate duties."

"JOHN POPE,
"Brevet Major-General Commanding."

P. H. SHERIDAN,
Lieutenant-General.

WAR DEPARTMENT,
Washington City, October 22, 1877.

SIR: I have the honor to transmit for your information a copy of telegram from Lieutenant-General Sheridan, communicating information

received from Colonel Hatch as to the circumstances under which Mr. Charles Howard was arrested.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, October 26, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 22d instant, with an inclosure relative to the circumstances under which Mr. Charles Howard was arrested at San Elizario.

I am, sir, your obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

EL PASO, TEX., *October 4, 1877.*

SIR: I have the honor to report that, in order to satisfy myself concerning the various rumors that were constantly being received here relative to the riot at San Elizario, I visited Ysleta and started for San Elezario yesterday, in company with a citizen. On our arrival in Ysleta we were advised by the citizens not to proceed any farther, as the rioters were greatly excited and had threatened to kill the Americans; that our arrival there would cause the death of Judge Howard, who they still held prisoner. Being anxious to learn the exact state of affairs, that my reports might be authentic, we proceeded under the protection of their priest. On our arriving in the outskirts of San Elizario, we met a party of twenty armed Mexicans escorting Judge Howard to a place of safety. Howard, and the priest who was with him, advised me not to go any farther, as our lives would be in danger. Acting on this advice we returned to Ysleta, and thence to this place, bringing Judge Howard with us. The mob here compelled the county judge and justices of the peace to resign, and only spared Judge Howard's life on condition of his signing papers to the effect that he would not prosecute any of the rioters, giving them the free use of salt lakes, and that he would leave the county forever within twenty-four hours. I am convinced, from what I could hear at Ysleta and what I saw of the mob, that every American in the county would have been killed had not their terms in Howard's case been complied with. I did not see over forty armed Mexicans, but am informed that they numbered about three hundred and fifty. They appear to be well organized, and had been preparing for this event for some time; yet their meetings were so secretly conducted that the civil authorities did not know anything about their movements.

I am also informed that the rioters were joined by nearly one hundred Mexicans from Mexico. The sheriff and deputy United States marshal are both here; they will not return until a sufficient force is raised to insure the dispersement of the mob.

I am satisfied from personal observation that the presence of troops is necessary here, to protect life and property, and believe that in case

this mob is not put down by force, the Mexicans will either kill or drive every American out of the country.

Very respectfully, your obedient servant,

L. H. RUCKER,
First Lieut., R. Q. M., Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,
District of New Mexico, Santa Fé, N. Mex.

[First indorsement.]

HEADQUARTERS DISTRICT OF NEW MEXICO,
Santa Fé, N. Mex., October 11, 1877.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri.

The tenor of this communication suggests that the lives of English-speaking American citizens of the State of Texas are not safe in North-western Texas, near the Rio Grande.

This is properly a matter for the State of Texas and is not in the hands of United States troops, and seems to indicate that the domiciles of those known as Americans are only safe under the protection of troops.

These troubles have occurred since removal of the garrison from El Paso and Quitman, by department commander of Texas. Attention invited to Lieutenant Rucker's report of October 2, 1877, herewith.

EDWARD HATCH,
Colonel Ninth Cavalry, Commanding.

EL PASO, TEX., *October 2, 1877.*

SIR: I have the honor to report that on the night of the 30th ultimo, a party of about twenty-five armed Mexicans, residents of San Elizario and Ysleta, this county, surrounded the house of the sheriff and forcibly took from his custody two citizens, C. H. Howard and J. E. McBride, who had taken refuge therein for self-protection, at the same time placing the sheriff and county clerk under guard. They have also arrested the county judge, Gregorio Garcia, and justice of the peace of San Elizario, Porfirio Garcia; all of the above named are now in the custody of the mob, and are confined in jail. This morning, as the collector of customs was *en route* to his office, he was warned not to go, as the mob were after him; he is now here for safety. The sheriff, Charles Kerber, and Deputy United States Marshal W. B. Blanchard, are also here, being afraid to return to their homes, and state they are unable to disperse or arrest the rioters, or release the prisoners already in the hands of the mob.

The sheriff also states that the prisoners are held without authority of law, and that the mob gives no reasons for their arrest and detention, and under the circumstances calls on the military for sufficient force to disperse the mob and preserve the peace; and that there are not enough Americans living in the county to form a force sufficient for the purpose. The Mexicans who are not with the rioters sympathise with them, and cannot be relied upon nor obey his summons to act as a posse. It is now reported that the mob numbers over three hundred, and have sent to El Paso, Mexico, for aid. The citizens fear that serious trouble will ensue if the riot is not put down by force of arms.

Very respectfully, your obedient servant,

L. H. RUCKER,
First Lieut., R. Q. M., Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,
District of New Mexico, Santa Fé, N. Mex.

[Second indorsement.]

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans, October 18, 1877.

Respectfully forwarded through headquarters Military Division of the Missouri, for the information of higher authority.

Lieutenant Rucker has been directed to limit his interference to preventing inroads of armed bodies from Mexico, and to seeing that the United States officials are not interfered with in the discharge of their proper duties.

JNO. POPE,
Brevet Major-General, Commanding.

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, October 23, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

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P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., October 27, 1877.

General E. D. TOWNSEND, *Washington, D. C.:*

The following telegram from General Pope, of yesterday, is respectfully forwarded:

"Commanding officer district of New Mexico reports on 21st Lieutenant Rucker telegraphs from El Paso: Everything quiet here. Citizens San Elizario and Ysleta still fear another outbreak by the mob. I do not believe there is any immediate danger. On 23d and 24th he reports everything quiet here."

P. H. SHERIDAN,
Lieutenant-General.

EL PASO, TEX., *October 11, 1877.*

SIR: I have the honor to report, in compliance with your telegraphic instructions of the 5th instant, I arrived at San Elizario on the evening of the 8th instant, and, after a careful investigation, find the cause of the late riot to be the result of a misunderstanding on the part of the ignorant Mexicans regarding the location last July of the salt lakes in this county, by a firm in Austin, Tex. These lakes have for generations been considered public property, and when their crops failed it has been customary for the people to go to the lakes, get a load of salt, take it to Chihuahua, and trade it off for provisions. Since its location, they have been notified by the company's agent here, C. H. Howard, not to take any salt without his permission. Being very ignorant, they cannot understand why they are deprived of this means of subsistence.

In my opinion the immediate cause of the riot was the prosecution by Mr. Howard of two Mexicans, on the twenty-ninth of last month, who

were arrested and required to give bonds for merely signifying their intention of going to the lakes and getting salt. This being considered by the Mexicans as a persecution, they resisted the local civil authorities, which resulted in a general riot. I will here state, from reliable information, that several persons of intelligence living in this county have advised the Mexicans that the lakes were public property; that they had a right to take all the salt they required, and that they (the parties who instilled their belief into the Mexican minds) would stand by them and see that the authorities did not interfere; in fact, assume all responsibility in case of trouble. When the trouble assumed a serious aspect, these parties failed to fulfill their promises, and the Mexicans, finding they were doing wrong, did not know how to get out of the scrape. The fact of the matter is, the Mexicans had been lied to to such an extent they did not know who or what to believe, and the most ignorant of them thought the best way of settling the matter was to drive the Americans out of the country.

The mob consisted of about four hundred armed men, composed of Mexicans living in this country and about fifty from the other side of the river. The rioters had not fully dispersed on my arrival at San Elizario; some were for fighting the troops; the more timid were averse to any resistance, and they all fled to the woods on our approach.

On the 9th instant I succeeded, after two conferences with some of the leaders, in quieting their fears of arrest, and advised them to break up their organization, which they at once agreed to. On the 10th instant I was invited to a "junta" of the leading spirits of the mob. They informed me that they had acted on the advice given them the day before; that the people would let the law take its course; that they had reinstated the deposed county officials, and that all trouble had ceased.

I believe the Mexicans will keep their word, but anticipate trouble when the civil authorities attempt to arrest any of the rioters, without the presence of troops in the vicinity.

During the seven days that the mob was in existence, no blood was shed, or any acts of violence committed, except threatening the lives of Americans. A "prestimo" was considered; they even went so far as to make out a list of assessments, but none were levied. The comparatively peaceful termination of the riot is mainly due to the untiring efforts of the Rev. Bongardo, Catholic priest at San Elizario. The presence of troops had a salutary effect in quieting the fears of the citizens. The priest informed me his influence over the mob was exhausted.

Very respectfully, your obedient servant,

L. H. RUCKER,
First Lieutenant, R. Q. M., Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL
District New Mexico, Santa Fé, N. Mex.

[First indorsement.]

HEADQUARTERS DISTRICT OF NEW MEXICO,
Santa Fé, N. Mex., October 17, 1877.

Respectfully forwarded to the assistant adjutant-general Department of the Missouri.

In absence of Colonel Hatch—

JOHN S. LOUD,
First Lieutenant and Adjutant Ninth Cavalry, A. A. A. G.
H. Ex. 13—9

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., October 24, 1877.

Respectfully forwarded to the assistant adjutant-general headquarters Military Division of the Missouri.

The "Mexicans" mentioned by Lieutenant Rucker (except those he speaks of as "about fifty from the other side of the river") are citizens of the State of Texas. The salt lakes or springs referred to are also within that State. I would desire to know whether the government wishes the United States troops to intervene in any manner in these local difficulties in the State of Texas; and, if so, to ask that orders to that effect be sent me. At present, Lieutenant Rucker is under orders from me to interfere in no manner except to prevent invasion of Mexican territory from Mexico, and to protect the United States officials from violence in the execution of their proper duties.

JNO. POPE,
Brevet Major-General United States Army, Commanding

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, October 29, 1877.

Respectfully forwarded to the Adjutant-General of the Army, inviting attention to the remarks of Brigadier-General Pope hereon.

P. H. SHERIDAN,
Lieutenant-General Commanding

CUSTOM-HOUSE, EL PASO, TEX.,
Collector's Office, October 15, 1877.

SIR: I inclose you herewith the expression of the people of El Paso County for your kindness in doing what was in your power to extricate us from a very critical position.

So far as I was personally concerned I had nothing to fear, but a report had been put in circulation that there was \$40,000 in the custom-house, and the mob said they were going to have it. Although this report was false so far as the \$40,000 was concerned, it is thought that if troops had not arrived here at the time they did the mob would have taken the custom-house and probably two or three mercantile establishments.

Captain Rucker, whom you charged to investigate the affairs at San Elizario, deserves great credit for his caution and prudence. There were no civil officers in the county; some had fled to Mexico, some imprisoned, and others had come to El Paso for protection. There was not a civil officer in the county that dared to attempt to execute the functions of his office. The entire American population of El Paso County commend Captain Rucker's gentlemanly, quiet, and prudent course in this matter. He could not have done less. The Mexicans respect and have confidence in him, and believe what he tells them. He has shunned all connection with civil affairs, and been over-careful not to be drawn into a semblance of sympathy. He has been staying with me ever since he has been here, and I know his opinions, which coincide with my own,

upon questions of this nature, and I feel the fullest confidence in his prudence and ability.

I am, very respectfully,

S. C. SLADE,
Collector.

General EDWARD HATCH, U. S. A.,
Santa Fé, N. Mex.

[First indorsement.]

HEADQUARTERS DISTRICT OF NEW MEXICO,
Santa Fé, October 23, 1877.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri.

EDWARD HATCH,
Colonel Ninth Cavalry, Commanding.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., October 31, 1877.

Official copy. Respectfully forwarded to the Adjutant-General of the Army, through headquarters Military Division of the Missouri, for the information of higher authority.

JOHN POPE,
Brevet Major-General U. S. A., Commanding.

Official :

R. C. DRUM,
Assistant Adjutant-General.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, November 3, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., November 2, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

Lieutenant Rucker, Ninth Cavalry, in command at El Paso, reports, under date of 31st ultimo, that everything is quiet at San Elizario.

P. H. SHERIDAN,
Lieutenant-General.

D.

MISCELLANEOUS REPORTS, CORRESPONDENCE, ETC., FROM MARCH 3, TO
JULY 5, 1877.

SAN ANTONIO, TEX.,
March 3, 1877.

A. A. G., *Chicago* :

The following received from Fort Brown : On Sunday, February 25th, Canales entered Matamoras with one thousand men. Cortina has already been arrested by his orders. On Wednesday, February 28th, General Blanco and all his staff left Matamoras, and are now in Brownsville, *en route* to City of Mexico by Morgan steamer. Cortina is in communication, and is now being tried by general court-martial on a number of charges. This day it is expected that Romuelto Cuellar, brother-in-law of Canales, will be proclaimed chief of the Zona Libre by order of Canales.

DEVIN, *Commanding*.

Have asked status of Canales with regard to Diaz.

ORD, *Brigadier-General*.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, March 5, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
In absence of the Lieutenant-General.

R. C. DRUM,
Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS OF THE ARMY,
Washington March 9, 1877.

Respectfully submitted to the Secretary of War, with copy for the information of the Department of State.

W. T. SHERMAN,
General.

MARCH 12, 1877.

SIR: I have the honor to transmit copy of a communication from General Ord, stating that Colonel Devin reports from Fort Brown, Texas, that Canales, with one thousand men, had entered Matamoras; Cortina was being tried by court-martial, and General Blanco and staff had set out for the City of Mexico via Brownsville; and it is expected Cuellar would be proclaimed chief of the Zona Libre.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

SAN ANTONIO, TEXAS,
March 5, 1877. (Received at Chicago, March 5, 1877.)

To DRUM, *Chicago* :

Dispatch from Devin indicates that Canales not committed toward Diaz; working for himself.

ORD, *Brigadier-General.*

[First indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, March 6, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
 In the absence of the Lieutenant-General commanding.

R. C. DRUM,
Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, March 10, 1877.

Respectfully submitted to the Secretary of War, with copy for the information of the Department of State.

W. T. SHERMAN,
General.

MARCH 13, 1877.

SIR: I have the honor to transmit, for information, a copy of a telegram from General Ord, wherein Colonel Devin reports that Canales is not committed to Diaz, but is working for himself.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

HEROIC MATAMORAS, *February 18, 1877.*

SIR: I have the honor to inform you that I have been appointed by the actual government of this republic military commander of the line of the Rio Bravo, and in her name have assumed command of this place.

I shall be very grateful if you will do me the honor to satisfy the desire I entertain to cultivate the most cordial relations with the headquarters now under your dignified command, convinced that it may greatly conduce to the well-being and prosperity of both frontiers.

I respectfully subscribe myself your attentive and obedient servant,
 MIGL. BLANCO.

Lieut. Col. THOMAS E. DEVIN, *U. S. Army,*
Commanding Fort Brown, Texas.

A fair translation.

A. M. RAPHALL,
Lieutenant, Eleventh Infantry.

MEXICAN BORDER TROUBLES.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., March 1, 1877.

Respectfully forwarded through headquarters Military Division of the Missouri for the information of the proper authorities.

E. O. C. ORD,
Brigadier-General U. S. A., Commanding.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, March 7, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
 In absence of the Lieutenant-General,

R. C. DRUM,
Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, March 12, 1877.

Respectfully submitted to the Secretary of War, with copy for the information of the Department of State.

W. T. SHERMAN,
General.

[Telegram.]

FORT BROWN, *February 25, 1877.*

TO TAYLOR, A. A. G.,
San Antonio, Tex.:

Cortina was arrested yesterday p. m. by the military authorities of Matamoras, and confined in the military barracks.

DEVIN.

MARCH 14, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram, dated February 25 last, from Colonel Devin, announcing the arrest of Cortina by the military authorities of Matamoras; also a copy of letter from Miguel Blanco, informing Colonel Devin that he has been appointed by the actual Government of Mexico as military commander of the line of the Rio Bravo.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, March 9, 1877.

SIR: I have the honor to report, for the information of the general commanding the department, the following facts in reference to depredations recently committed by marauding parties of Indians and Mexicans from the neighboring republic of Mexico. Since the 1st of October, 1876, there have been killed by parties of Indians, that have been

followed from the scene of the murder to the Rio Grande, 17 men, and the arms and horses taken from the murdered men have been openly offered for sale in the town of Saragossa, Mexico.

Since the 30th day of December, 1876, there have been taken from within ten miles of Fort Clark two large droves of horses, about 100 in all, and at least 300 head of cattle in the two raids. The first party was followed about 150 miles into Mexico to their camp, where nearly a hundred of the cattle had been slaughtered, and the beef was found drying. Unfortunately the approach of the troops was discovered and the Indians fled, and have since then been hovering in the vicinity of the towns, to which they would retreat if attacked. In the two last raids the Indians have kept close to the river, and have recrossed within a few hours. To head these raiders is almost impossible, as they cross at night and are back again before the second night has passed.

Not the slightest attempt is made by the Mexican authorities to control these Indians, they, on the contrary, finding a refuge in the towns when pursued, and a market for their stolen plunder at all times.

Efforts are being made to find out the locality of their camp, and whenever the chance occurs a dash will be made for it. It is, however, only a chance that they are hit, as they are at all times on the alert, and especially so since their camp was struck in July last by the detachment under Lieutenant Bullis.

To prevent, as far as possible, gathering cattle near the river and driving them to Mexico, and also to have companies where they can be put quickly on the trail of Indians who may come out some distance from the river to gather their herd, I have determined to put a company of cavalry in camp on the Rio Grande, half-way between San Felipe and Fort Duncan, and another about ten or fifteen miles below the mouth of the Pecos. No expense will attend this move, as the companies will go out for a month at a time and be supplied from Fort Clark.

To effectually put a stop to the Indian raids from Mexico, it will be necessary to do all scouting for Indians on the Mexican side of the Rio Grande.

There are now none living in Texas, and hunting for little stealing parties of four or five Indians on this side is useless. Full authority to operate in Mexico as we choose is the only way in which life and property can be made secure on this frontier. It is an incontrovertible fact that all the raids are made from Mexico to this side, and none from this to Mexico, and the people who are being robbed and murdered are American citizens.

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

W. R. SHAFTER,

Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,

Department of Texas, San Antonio, Tex.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Tex., March 13, 1877.

A true copy. Respectfully forwarded to the assistant adjutant-general, Military Division of the Missouri, for the information of the Lieutenant-General commanding.

E. O. C. ORD,

Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, March 19, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

The Rio Grande is a very long and crooked frontier, and it is impossible to prevent Indians coming over from Mexico and committing depredations of the character reported within.

I recommend the Mexican Government be compelled to prevent these hostile incursions.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Third indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, March 26, 1877.

Respectfully submitted to the Secretary of War, with copies for the Departments of State and the Interior.

W. T. SHERMAN,
General.

MARCH 28, 1877.

SIR: I have the honor to transmit for your information copy of communication of the 9th instant from Lieutenant-Colonel Shafter, commanding the district of the Nueces, relative to the murder and robbery of American citizens in Texas, by raiding-parties of Mexicans and Indians from beyond the Mexican border.

Very respectfully, your obedient servant,

GEORGE W. McCRARY,
Secretary of War.

Hon. SECRETARY OF THE INTERIOR.

MARCH 28, 1877.

SIR: I have the honor to transmit for your information copy of a communication of the 9th instant from Lieutenant-Colonel Shafter, commanding the district of the Nueces, relative to the murder and robbery of American citizens in Texas by raiding-parties of Mexicans and Indians from beyond the Mexican border.

Very respectfully, your obedient servant,

GEORGE W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, April 2, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, with its inclosures, relative to the alleged murder and robbery of American citizens in Texas by raiding-parties of Mexicans and Indians, and in reply, to inform you that the subject shall receive due consideration.

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

WILLIAM M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

CONSULATE OF THE UNITED STATES OF AMERICA,
Matamoras, March 9, 1877.

SIR: Referring to my telegram to the department of the 6th of July last, in which I requested that the military authorities at Fort Brown, Texas, might be authorized to interfere to protect lives and property in this city in case Cortina, who was then menacing it with a considerable force, should make an attack, and in consideration of which telegram I presume that the United States gunboat Rio Bravo has remained moored to the river-bank in front of this city since that time, I have now to state that, as the force of Cortina has been disbanded and Cortina himself is a prisoner, under sentence of death, in the hands of the military authorities of this frontier, the further presence of the Rio Bravo at this place has, perhaps, ceased to be necessary.

As the expenses of that vessel are doubtless increased by being at a foreign port, I have to respectfully suggest that the public interests do not, in my opinion, require that the vessel should remain here longer, and perhaps interfere with the more general object for which it was sent to the Rio Grande, which I understand was to co-operate with the United States military force stationed on the Texas border in suppressing cattle-raids across the river.

I am, sir, your obedient servant,

THOMAS F. WILSON.

Hon. WILLIAM HUNTER,
Second Assistant Secretary of State, Washington.

Referred by the Secretary of War to the General of the Army.

[First indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, March 26, 1877.

Respectfully referred to the commanding general Department of Texas, through headquarters Military Division of the Missouri, for his opinion and report; these papers to be returned therewith.

W. T. SHERMAN,
General.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, March 29, 1877.

Respectfully transmitted to the commanding general Department of Texas.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., April 3, 1877.

SIR: The letter herewith returned of Consul Wilson evidently conveys erroneous impressions.

The gunboat was ordered to Brownsville, and is not nor has been at a foreign port that I am aware of except for a few days. The order was issued sending her to the station at the special request of the general commanding the department, made through the general of division and commanding general to the President, and approved by him, the object being to suppress raiding and have ready facilities for crossing into Mexico, so as to seize stolen property which the so-called authorities

were averse to or unable to recover. The raiding still continues, and the unreliable character of the local as also State authorities is fully as great if not greater than when the department commander applied to have a gunboat stationed at Brownsville.

I visited Matamoras and Brownsville about four months since. General Revueltas, a gentleman and good officer, was then in command at Matamoras, and had been for some six months, but there was a want of harmony and personal good feeling between the consul and the commanding officers both of the army and navy. The military authorities ascribed this to the disposition of the Mexican commander to consult them rather than the consul, and to the fact that at official or formal receptions the consul had not been assigned the first place. The character for sobriety of the commander of the Rio Bravo was such that I examined into this matter with some care, and I came to the conclusion that the interests of the United States would be promoted if both the consul and the present commander of the gunboat at Matamoras could be placed at some other station. (See my telegraphic report in regard to the request of Texas delegates for the release of one John Jay Smith.)

I also recommend that the naval commander there have authority to hire, when a demand should occur for its use, a light-draught steamboat, such a one as can be found at any time lying alongside the Bravo, that boat being too heavy to get up the river except at high water. Then the naval detachment could really be of use in suppressing raiding, and could reach objective points up the river. The gunboats furnished her are also too deep for this purpose.

In connection with this matter, I beg to call the attention of the Secretary of State to the evident and recent change in the demeanor of the local and revolutionary authorities along the Mexican borders adjacent to this department. As long as President Juarez or Lerdo were in authority at the center of Mexico, and when the border State authorities pretended to defer to those central governments, there was some respect and good-will shown to the American agents and military commanders along the Rio Grande; but since the last revolution in Mexico the worst elements seem to have come to the surface, and instead of respect, or cordiality between the local and revolutionary authorities and that of our government, there is often open and undisguised hostility.

The condition of affairs on this frontier is such as to call for serious consideration whether it is not now necessary for this government, for the protection of its citizens along the border, to do something besides act as spectators of the contest between guerrilla leaders for mastery in contiguous States of Mexico. Our citizens are being now plundered more than has been customary by the bands of Indians from the opposite side, some of whom exhibit passes from the local authorities, and there seems to have been an offensive alliance entered into between them and the local governor of Coahuila.

Recently, when I learned that the alcalde at Piedras Negras had arrested a couple of guides who had been employed as trailers to follow raiding-bands across into Mexico under authority from the general commanding the army, and who, I learned, would probably be executed, I telegraphed for their status. (See reply marked A.) I then directed formal application for their release, and Colonel Schofield informed me that the alcalde refused, stating that his orders were to imprison all who had guided us in Mexico, (see telegram marked B,) upon the principle that if two of our Crow Indian guides was in the hands of the Sioux, we would deserve and receive no respect from the Crow allies or any other if we did not make every effort to release our guides. I tele-

graphed the commander of the district to use his available troops promptly to secure their release, but as the present governor is reputed energetic and prompt in shedding the blood of prisoners, I fear the efforts to release them will be futile. General Devin reports that Canales, who has control at Tamaulipas, has shown no courtesy or friendly disposition toward the Americans. His reputation as a cruel, bad man is even worse than that of Cortina.

In Chihuahua I learn that there is a contest for control waging between Trias, aided by the wild Indians and other desperate adventurers, and the parties claiming to act under the Diaz faction. The probabilities are that Trias will win.

I should add, in explanation of the matter of the guides, that a few months since, when Colonel Shafter employed the Mexican guides, the authorities then in power were disposed to encourage his pursuit of the raiding Indians, and consented to his crossing into Mexico. The services of the guides were secured, I believe, through the agency of the American consul, Mr. Schuchardt, who furnished the information lately that they would probably be summarily executed. (See General Schofield's dispatch, C; since writing the above, the dispatch received marked D, and one sent marked E.

Very respectfully, your obedient servant,

E. O. C. ORD,

Brigadier-General, U. S. A., Commanding.

ASSISTANT ADJUTANT-GENERAL,

Military Division of the Missouri, Chicago, Ill.:

P. S.—I would respectfully refer to General Thomas L. Kane, of Kanesville, Pa., who recently visited this country and Coahuila, Mexico, for his views, and to some extent as witness to the terrorism among the frontier settlers on account of the continued raiding and frequent murders committed by the Indians from Mexico.

Respectfully, &c.,

E. O. C. ORD,

Brigadier-General, Commanding.

[Telegram.]

WAR DEPARTMENT,

SIGNAL SERVICE, U. S. A., *United States Telegraph.*

Dated Brown., Tex., March 26, 1877. Received at San Antonio, Tex., March 26, 1877, 4.30 p. m.

To TAYLOR, A. A. G.,

San Antonio:

Detachment of Eighth Cavalry, from Ringgold, with hide-inspector, captured three cattle-thieves, with seventy head of stolen stock.

DEVIN, *Commanding.*

[Telegram.]

HEADQUARTERS, DEPARTMENT OF TEXAS,

San Antonio, Tex., April 1, 1877.

Colonel SHAFTER,

Commanding District Nueces, Clark:

Send the following to Colonel Taylor, or Post-Commander Duncan: Shafter telegraphs that his two late guides are seized and in danger at Piedras Negras. See authorities and call attention that this indicates a

determination on their part to protect the raiding Indians. Say that I act by authority from Washington when I pursue them with view to punish them and recover their booty; that parties protecting them become like the principals in the robberies, and will be so considered. I have telegraphed Shafter to say to Shuchardt that if the guides claim to be American citizens, he, Shafter, must protect them. Use your discretion in communicating the last information to the authorities, for if it becomes necessary to take summary action, perhaps better not name them.

ORD, *Brigadier-General.*

[Telegram.]

CLARK, *April 1, 1877.* (Received April 1, 1877.)

To General ORD,
San Antonio:

If telegram from Schofield, which I expect to-night, indicates danger of execution of the men, I will be at Duncan to-morrow with Colonel Shafter and sufficient force to release the men. I will give Colonel Shafter the necessary orders in writing, and accompany the troops.

TAYLOR, *A. A. G.*

[Telegram.]

DUNCAN, *April 1, 1877.* (Received April 1, 1877.)

To General ORD,
San Antonio:

Schuchardt thinks if the demand for release is made by me, as you direct, the authorities will give the men up. I believe they will.

SCHOFIELD.

[Telegram.]

DUNCAN, *April 1, 1877.* (Received April 1, 1877.)

To General ORD,
San Antonio:

They are in prison at Piedras Negras, held as traitors.

SCHOFIELD.

Schuchardt is in office.

DUNCAN, *April 2, 1877.* (Received April 2, 1877.)

To General ORD,
San Antonio:

Saw authorities at Piedras Negras last night, but made no positive demand and no threat. They are decidedly firm, and are acting by authority of governor of State at Saltillo. Governor was notified, by courier, two days ago, of arrest. From this I judge the men will not be sent off unless we alarm them. The governor's order did not designate these two men by name, but was general; regard to all who had guided United States troops into Mexico. Full particulars telegraphed Shafter.

SCHOFIELD.

[Telegram.]

DUNCAN, April 1, 1877. (Received April 1, 1877.)

General ORD,
San Antonio:

Schuchardt says the authorities will give the guides a sham trial and then shoot them.

I will visit Piedras Negras to-night and see the authorities, under your instructions.

SCHOFIELD.

[Telegram.]

DUNCAN, April 3, 1877. (Received April 3, 1877, 10.30 a. m.)

To ORD, *Brigadier-General*:

I arrived here with Shafter last night at 10.30 o'clock. At 2 a. m. Shafter moved up the river with three companies of cavalry and crossed Rio Grande with view of moving down and occupying rear of Piedras Negras at early dawn. As soon as we could see to move intelligently, Schofield crossed with two companies of infantry. I accompanied the latter command. We were challenged and threatened by small party, but no other opposition was made. The detachment landed and moved rapidly, occupied the main plaza, seizing the jail in which the prisoners were supposed to be confined. The door of cell was found open, as well as the main entrance, and the jail deserted. Shortly afterward the cavalry came in from the rear. The prisoners had, I think, been removed in the early part of the night. The Mexicans, having learned that interest was taken by United States authorities in the men, were no doubt on the *qui vive*, and had confederates on this side to give warning. I do not think any better arrangements than those adopted could have been made. As soon as the fact was discovered that the prisoners had been removed the town was evacuated. While held, no violence was done to any citizen. No shot fired. Everything was conducted in the most orderly and soldierly manner.

TAYLOR, A. A. G.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., April 3, 1877.

To Colonel TAYLOR, *Fort Duncan*:

Send promptly, through alcalde of Piedras Negras, to the governor of Coahuila, this:

"The department commander of Texas has learned with surprise that the governor of Coahuila has ordered the arrest of two men who acted as guides to a party of United States troops in pursuit of wild Indians, who were taking refuge in the mountains of Mexico with stock stolen from the United States. That injuries to these guides for services done the United States Government on an expedition which was undertaken with the consent of the *de facto* commander of the Mexican forces of the district, cannot but be regarded as a declaration on the part of the present governor to co-operate with the wild Indians, refugees from the

United States, in their depredations upon this territory, and will be so reported to the President."

Sign by order. — State that this letter is telegraphed.

ORD.

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, April 9, 1877.

Respectfully returned to the Adjutant-General of the Army, calling attention to the objections of General Ord, stated in the inclosed report.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Fourth indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, April 18, 1877.

Respectfully returned to the Secretary of War, with copy of General Ord's report for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, April 19, 1877.

SIR: I have the honor to transmit for your information the inclosed copy of a report made by General E. O. C. Ord, commanding Department of Texas, on a communication from the Department of State, dated the 21st ultimo, inclosing a copy of a dispatch dated 9th March last, from the United States consul at Matamoras suggesting the withdrawal of the United States gunboat Rio Bravo.

Very respectfully, your obedient servant,

GEO. W. McCrARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, April 24, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 19th instant inclosing a copy of a report of General E. O. C. Ord in regard to a suggestion made by Mr. Thomas Wilson, consul of the United States at Matamoras, that the gunboat Rio Bravo be withdrawn from that place.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEO. W. McCrARY,
Secretary of War.

DEPARTMENT OF STATE,
Washington, May 1, 1877.

SIR: Referring to your letter of the 19th ultimo, with a report to you from General E. O. C. Ord, which gives an account of the arrest, by Mexican authorities, of two men who acted as guides to the United

States troops in pursuit of wild Indians, and to his action in reference thereto, I will thank you to furnish me with any further information which you may have received on that subject. This is desired in consequence of a note recently addressed this department by the Mexican minister at this capital.

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

WM. M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, May 3, 1877.

Respectfully returned to the Secretary of War with the information that this office has not received any further correspondence relating to the subject.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, May 4, 1877.

SIR: In reply to your letter of the 1st instant, asking for further information concerning the arrest, by Mexican authorities, of two men who acted as guides to United States troops in pursuit of Indians, of which you were informed by letter of the 19th ultimo from this department, I have the honor to state that no additional correspondence on the subject has been received. When anything further transpires as to this matter, it will be communicated to you.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

SAN ANTONIO, TEX.,
April 10, 1877.

DRUM,

A. A. G., Chicago, Ill:

Following just received from Devin, at Brownsville:

"On yesterday, at 2 a. m., Canales was sent under guard to Boca del Rio, where he will proceed by Mexican Government steamer to Vera Cruz. It is said by the escort that he is to be confined in the castle of San Juan de Ulloa, by order of the minister of war.

"ORD,
"Brigadier-General."

WAR DEPARTMENT,
Washington City, April 18, 1877.

SIR: I have the honor to transmit herewith, copy of a dispatch from General Ord, of the 10th instant, stating that Canales has been sent to

Boca del Rio, and that it is said by the escort he is to be confined in the castle of San Juan de Ulloa.

Very respectfully, your obedient servant,

GEO. W. McCURARY,
Secretary of War.

Hon. SECRETARY OF STATE.

SIGNAL-SERVICE, U. S. A.,
United States Telegraph.

Dated Fort Clark, Texas, 1877. Received April 24, 1877, 8.30 a. m.

TAYLOR, A. A. G., *Department Tex.,*
San Antonio, Texas:

The following dispatch received yesterday from Castroville: "Party of thirty-five Indians and Mexicans raided through Quihi Hondo and New Fountain last night, carrying off two hundred head of horses. Trail moving southwest; crosses line eight miles below here."

Immediately upon receipt of this dispatch, Lieutenant Stevenson, with forty men, has been ordered to the Nueces, about sixty miles southeast of Duncan. Company B, Tenth Cavalry, is at Duncan ready to start in any direction required. Orders were also sent to Lieutenant Van Vliet, in Frio Cañon, to go to Dhanis, take the trail and follow it. Rangers in Nueces Cañon and people at Frio City also notified. Three companies cavalry near here, one company at San Felipe and Bullis, between mouth of Devil's River and Pecos, ready to start as soon as I can get definite information as to the point they are bearing for.

SHAFTER, *Commanding.*

[Telegram.]

FORT CLARK, TEXAS,
April 28, 1877—8 o'clock p. m.

To TAYLOR,
Assistant Adjutant-General,
Department Texas, San Antonio:

Following telegrams received: Lieutenant Dolan, Texas Rangers, says, "I followed the Indian trail near Pendencia; rained hard, and put out trail; think they crossed below Presidio. They have about thirty-five horses to my knowledge; may have had more; Indians had a fight with citizens at Lumaville, in which one Indian and one white man was killed." Schofield says courier in from Stevenson says several bands Indians in vicinity of Cariza; followed one trail of twelve, but lost it in heavy rain-storm. Indians in small parties are hidden in thick brush, watching chance to steal stock; thinks he can catch some of them there. Telegrams were received on 26th. To-day Van Vliet reports from Frio City: "The recent raids in this section have been committed by a party of six Indians, who, commencing at Quilie, worked southward along the Pecos. They were pursued from Lona by a party of herders southwest, and one of their number killed fifty miles from here, and thirty head of stock recaptured. This occurred on the 23d instant. The Indians were scattered and could not be overtaken, since which time trail has been entirely washed out." Stevenson, with forty men of Company K, Eighth Cavalry, and Coleman's company, is now on

the Nueces, trying to hunt up Indians hiding there. Boyd, with Company B, Eighth Cavalry, is scouting along the river thirty-five miles below Duncan, toward mouth of San Pedro; don't think they will get off with much stock.

SHAFTER, *Commanding.*

[Indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, May 5, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

As I have heretofore had occasion to observe, the Rio Grande is a very long and difficult frontier to protect, and notwithstanding the activity of our troops, it is found almost impossible, with the means at hand, to prevent these marauding incursions from Mexico; and I recommend that the proper authorities take some steps to require the Mexican Government to aid in the protection of that frontier.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

WAR DEPARTMENT,
Washington City, May 16, 1877.

SIR: I have the honor to transmit for your information a copy of a report of Lieut. Col. W. R. Shafter of a raid by Mexicans and Indians in Texas, carrying off two hundred head of cattle, and beg to invite your attention to the remarks of Lieutenant-General Sheridan indorsed thereon.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, May 10, 1877.

SIR: I have the honor to report that on the 22d of April I received the following dispatch from the telegraph operator at Castroville, Tex.: "Party of 35 Indians and Mexicans raided through Quihi, Hondo, and New Fountain last night, carrying off 200 head horses. Trail moving southwest; crosses line eight miles below here." I had for fifteen days known that several parties of Indians on foot had crossed from Mexico into Texas, but as it was impossible to tell where they would first strike, or where they would go out, I held the cavalry in camp and at the posts, (with the exception of parties in Frio and Sabinal Cañons,) until I should hear from them.

Upon receiving the above dispatch, I sent the following order to commanding officer Fort Duncan, Texas: "Send Stevenson or James with 40 men, Company K, Eighth Cavalry, 10 days' rations, on pack-mules, at once to Cariza via Pendentia. On arriving at Cariza the commanding officer will send a detachment of 15 men down the road about twenty miles toward Fort Lowell; he with the rest of his men to go east toward the Nueces. Let him notify the people at the Pendentia and Cariza of this Indian raid, and request them to send any information of Indians at

once to you and to his party. The detail going toward Lowell can remain in camp one day at the point indicated and then return to the Cariza. The officer going to the Nueces should scout up from the point where he strikes it, about thirty-five miles, and then return by the same course to the Cariza. If by that time the Indians have not passed out, he can return to Duncan."

The object of sending Stevenson to the Nueces and down the road toward Fort Ewell, (crossing of Lored and San Antonio road,) was to intercept the Indians if they attempted to get out of the country, between Lored and Duncan, and also to strike the trail as far in the interior as possible. The Indians crossed the road from Cariza to Fort Ewell, a few hundred yards of the place the sergeant was ordered to camp, and Stevenson with his whole detachment was on the trail but a few hours (four or five) behind them, with eight cattle-men from Cariza, with every prospect of overtaking them, when unfortunately heavy rain set in, that completely obliterated the trail, and before he could again get news of the Indians they had been several days safe in Mexico. The order given Lieutenant Stevenson to return to his post, after making the scout ordered, if nothing had then been heard of the Indians, was because I knew that if they had not by that time passed by him they would not, but would go out above Duncan, as they always have, for the last five years. On April 26, the following dispatch was received from Major Schofield, commanding Fort Duncan:

"Mexican guide, who returned from Stevenson, says he saw Indian signs, and that word was coming from every direction of Indians in little parties. They are, no doubt, detachments from the main body that struck near Castorville."

I at once started Lieutenant Boyd, with Company B, Eighth Cavalry, down the Rio Grande to about the point I thought it likely the Indians would cross, and gave him the following order:

"You will start at once with all the available commissioned officers and men of your company, B, Eighth Cavalry, provided with ten days' rations, and march toward Duncan, on the main road, as far as possible. To-morrow morning you will continue your march to Duncan, and then down the river to the Pequasche; from there you will commence to scout along the river to the mouth of the San Pedro, a few miles below Las Iselitas. Should the Indians cross, and you find the trail, do not hesitate to follow them into Mexico, if the trail is fresh. It will, however, not be advisable for you to go too far with your company, as two days' marches leave several large towns in your rear. Should the trail, if found, indicate that a large herd of stock has been taken out, notify Major Schofield by carrier at once."

I also sent the following instructions to the commanding officer Fort Duncan:

"Send Orleman out with Company B, Tenth Cavalry, to Cariza, via Pendentia, to report to Stevenson; he should have a lieutenant with him, and leave him and about twenty of his men at Pendentia to scout in that vicinity for parties that may be hanging about there. Citizens will assist, I am quite sure. Dolan, of the rangers, telegraphs me to-night that he followed trail to near Pendentia, but lost it in heavy rain. Boyd's company will be down to-morrow to scout along the Rio Grande from Pequasche, thirty-five miles below Duncan, to the Gardens, which are sixty. Indians crossing below Duncan have always before crossed between those points. Notify Stevenson where he is to expect him, should he follow trail toward river."

On the 30th I received the following dispatch from commanding officer Fort Duncan; carrier from Stevenson:

"Indians crossed in two parties, large party on Monday the 24th, and small party on Wednesday, point about seventy miles from Duncan; says Indian raiders are now in Santa Rosa Mountains, as reported by Mexicans, and thinks it useless to follow. Boyd joined Stevenson, and now together. Boyd says: 'Do not think I can overtake them; some stolen horses are reported brought into Presidio del Rio Grande; they will try to recover them.'"

I have other information of the crossing on 24th or 25th, and on the same date from Mr. Schuchardt: "Two droves of horses arrived at Pejotas, thirty miles below Saragossa, one by Indians and other by Areola."

As it was useless to follow into Mexico with any hope of overtaking the Mexican thieves and Indians, unless I was prepared to follow them into the towns and come in conflict with the Mexican authorities, and which I did not feel authorized to do without positive instructions, I, after informing the commanding general of the department of the situation, ordered the pursuit to cease, in accordance with his instructions.

The damage done in this raid is, as near as can be ascertained, 2 men killed and about 100 horses stolen, with 1 Indian killed and 35 horses retaken by a party of cattle-men that happened to strike the Indians. This raid was deliberately planned by the Indians and their Mexican advisers near Saragossa, and so openly was this done that from several persons there in Saragossa I was notified of their intentions.

As they were to cross on foot, it was impossible to do anything to avert the raid or to strike the Indians until they should show themselves, except to station small parties in the Sabinal and Frio Cañons, points usually visited first by them.

This was done, but on this raid the Indians that crossed above passed by the head of the Frio and Sabinal, and commenced the raid in the Hondo. A small party of Mexicans or Indians crossed below Duncan, but just where they operated I have been unable to find out, but from the fact that they cut a piece (ten feet) out of the wire and carried it on the trail for about a mile, the probabilities are that there were either Mexicans in the party or that they had instructed the Indians as to what to do to disable the line.

Pursuit of raiders from Mexico to the Rio Grande has, with rare exception, been unavailing.

Under the government of Lerdo de Teja, there has been full and free consent, on the part of the civil and military authorities on this frontier, for our troops to cross in pursuit, and under this authority considerable scouting was done on the Mexican side of the Rio Grande last summer and winter, resulting in killing and capturing several Indians, and retaking considerable amount of stock. I have been assured that, as soon as the present revolutionary government is overthrown, United States troops will be invited to pursue any and all marauders without regard to the boundary between the United States and Mexico.

Herewith inclosed I have the honor to transmit reports of commanding officer Fort Duncan, Lieutenants Stevenson and Boyd, Eighth Cavalry.

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

W. R. SHAFTER,
Lieutenant-Colonel Twenty-fourth Infantry,
Commanding District Nueces.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, San Antonio, Tex.

HEADQUARTERS FORT DUNCAN, TEXAS,

May 7, 1877.

SIR: I have the honor to submit the following report of a scout after marauding Indians and Mexicans, made from this post pursuant to telegraphic orders from headquarters District of the Nueces:

First Lieut. J. D. Stevenson, Company K, Eighth Cavalry, with forty men of his company, left the post at 1 o'clock a. m. April 23, for the Carisa, by way of Pendencia, with orders to scout the country thoroughly to the Nueces, and up that stream at least thirty-five miles, unless the parties sought for or their trail be found sooner; also to scout down the Fort Ewell road at least twenty miles. Full written instructions were given Lieutenant Stevenson in regard to pursuing, capturing, or killing any Indians or Mexicans he might overtake with stolen stock in their possession; also to cross into Mexico should he be in pursuit of such parties and close behind them.

On the evening of April 26, about 8 o'clock, a courier reached the post with a dispatch from Stevenson, stating that small parties of Indians were in his vicinity, (on Carisa,) and that he had pursued one party of twelve for several miles, and had lost the trail in heavy rain. This information was at once communicated by telegraph to the district commander, and at the same time Lieutenant Orleman, Company B, Tenth Cavalry, with thirty-five men of his company, was ordered to be ready in the shortest possible time, with ten days' rations on pack-mules, to start after these Indians. Lieut. W. H. W. James, Twenty-fourth Infantry, volunteered, and was ordered to accompany Lieutenant Orleman and to report to Lieutenant Stevenson should he come up with that officer.

This detachment was promptly in the saddle, and at about 10.30 p. m. (April 26) left the post. An hour later a telegram was received from district headquarters giving further information in regard to movements of marauding Indians and Mexicans, and directing me to have Lieutenant Orleman join and report to Lieutenant Stevenson. A courier with this information and order was at once dispatched to overtake Lieutenant Orleman, which he did, returning to the post at 3.30 a. m. Nothing was again heard from the commands until the morning of April 29, when a brief dispatch from Lieutenant Stevenson reached me. This was sent from a point on Peña Creek, and announced that Mexicans from the Rio Grande reported that a large party of Indians had crossed that river from this side on the 25th at a point about forty miles north of Laredo, and stating that, to make sure as to correctness of this report, he would at once with both companies start across country to the Rio Grande and see for himself, which he did. At 9.30 a. m., April 30, another dispatch was received from Lieutenant Stevenson, by the hands of Don José Martinez, which was dated at Martinez ranch (on the Rio Grande) April 29, and which gave the information that a small party with stolen horses had crossed into Mexico on the 26th and a large party on the 24th, (since ascertained to have been on the 23d,) the former near Yemgas ranch, sixty miles below this post, and the latter some distance still further down.

In this dispatch Lieutenant Stevenson expressed the opinion that it would be useless to attempt to follow these parties, as they had five and seven days, respectively, the start of him. In this opinion I concurred, and telegraphed to district headquarters asking if I could order the detachments to return, which was authorized. On the 27th of April, Lieutenant Boyd with Lieutenant Ellis and Company B, Eighth Cavalry, under orders from the district commander, reached this post, and on the following morning started down the Rio Grande to scout toward

Laredo. Meeting Lieutenant Stevenson and learning from him that the Indians had crossed into Mexico, Lieutenant Boyd returned from Martinez ranch.

Both commands arrived at the post on Monday, May 1, and on the day following, Lieutenant Stevenson, with his company, marched to Fort Clark, and Lieutenant Boyd, with his company, for his camp on the Pinto, as ordered by Lieutenant-Colonel Shafter, commanding district of the Nueces. I am satisfied that these officers did all in their power to accomplish the objects sought. Circumstances were against them. Unusually heavy rains, which flooded the country, obliterating trails, prevented Lieutenant Stevenson from continuing a pursuit that promised success, and considerably delayed the other companies in their movements.

Shortly after the first detachment of cavalry left the post it was reported that the telegraph-line between this post and Fort McIntosh was broken, and had been for several days. A small party was sent out along the line to find the break and repair it. This party returned on the 29th of April, reporting that the wire had been found cut, and a piece carried away from the line about five hundred yards, and that many tracks of unshod ponies were found, and by these tracks the piece of wire was discovered. The party also found one telegraph-pole entirely, and another partially, burned down. Two Mexicans, met near there, said Indians crossed from Mexico several days before and cut the wire; that they saw them do it, and that then they started northeast into Texas. It is more than probable that there were Mexicans with this party of Indians. The piece of wire was taken out just this side of the forty-first mile pole, the poles being numbered from Fort Duncan.

Señor Martinez, who brought the dispatch of April 29 from Lieutenant Stevenson, informed that one of the parties that returned into Mexico with horses stolen from Texas was headed by Ariola, a well-known Mexican, who was at one time alcalde of Newtown. Martinez did not himself see Ariola, but got the information from a partisan of his, one Wencesla Yomez, who said he saw Ariola at Peyotes with a party of Mexicans and a lot of stolen horses; at the same time a party of Indians was near there with a large lot of horses, stolen from Texas. Martinez expressed perfect confidence in Yomez, and the correctness of his report. Mr. Schuchardt, United States commercial agent at Piedras Negras, who was present at the interview with Señor Martinez, also gave credence to the report. He knows Martinez well, and thinks his statements can be relied on.

In this connection, and in reference to the marauding parties having a "passport" from Mexican authorities, I respectfully invite attention to the report of Lieut. J. D. Stevenson, herewith forwarded. The statement in this report, that it was well understood along the river that this was a regular contract made with the Indians by the Mexican authorities to obtain horses, is worthy of notice.

Very respectfully, your obedient servant,

G. W. SCHOFIELD,

Major Tenth Cavalry, Commanding Post.

ASSISTANT ADJUTANT-GENERAL,

Department of Texas, San Antonio, Tex.

(Through Headquarters District of the Nueces.)

CAMP ON PINTO CREEK, TEXAS,
May 5, 1877.

SIR: I have the honor to report that in obedience to General Order No. , dated Headquarters Fort Duncan, Tex., I left that post with a detachment of forty men, Company K, Eighth Cavalry, at one o'clock a. m., April 23.

Arriving at Pendencia about noon, I have halted here about two hours for the purpose of grazing my animals and for the men to make coffee; nothing had been seen or heard of Indians by the people in this vicinity. I then proceeded to Carisa Creek, arriving there at 7 p. m.; distance traveled on the 23d, 50 miles.

A few moments after our arrival at the Carisa, a very heavy rain commenced and continued for about two hours, causing considerable suffering both to men and horses. Next morning I interviewed several of the citizens of the settlement, but up to that time nothing had been heard of Indians in that country. Then, as directed in the above-mentioned order, I divided my command, sending First Sergeant Wilson, with fifteen men, down the Fort Ewell road 20 miles, with instructions to remain one day at that point and scout the vicinity for any trail going toward the river, and, in case none was found, to return to the Carisa the following day. At the same time I started, as directed, with the balance of my detachment for the Nueces River, leaving the Mexican "Gusto" at Carisa to bring word to me in case the Indians made their appearance during my absence.

Mr. Placide English volunteered his service and accompanied me as guide to the Nueces. We had just reached a northern point of Lake Espentosa, where it meets the Nueces, about 9 miles from the Carisa settlement, when "Gusto" caught up with us and reported that a party of about fifteen Indians had attacked Mr. Ed. English that morning at nine o'clock, about 10 miles south of the ranch.

I immediately turned back with my command, sending a sergeant and four men up the Nueces to look for any trail crossing that stream above. In an hour and a quarter I was again at the ranch, and continued on to Mr. Ed. English's "cow camp," where he joined us, and guided me to the place where he had been attacked. But in the mean time the sky had become clouded, and the night was so intensely dark that we were obliged to stop at this point for the remainder of the night, not being able to distinguish the trail. Distance traveled, 40 miles.

Upon leaving the Carisa I found that we were obliged to travel through a very dense mesquite and cactus "chaparral," and knowing that my pack-animals could not keep up with their loads at the rate I wished to travel after striking the trail, I sent them back to the Carisa, intending to depend upon the country, or what cattle or sheep we might meet, for our rations.

At dawn on the 25th we were soon upon the trail of about twelve or fifteen Indians, and followed it at a brisk trot; they were evidently traveling slowly, and made no effort to conceal that trail, and everything seemed to favor the chance of my overtaking them in the open country before they could possibly reach the river.

We had followed the trail for about ten miles, when a cloud which had been gathering above us for the last two hours broke and poured down perfect torrents of rain, flooding the country for miles around; so much so that we were unable to distinguish our own trail fifty yards in rear of the column. After several ineffectual attempts to follow the trail, I gave it up and struck across the country in the direction the

trail had been leading when lost, toward Carr's sheep-ranch and the river.

After a tedious march of four hours through water about four inches deep and mud as deep again, we arrived at Carr's ranch. Herders came in during the hour I staid there and reported they had seen no signs of Indians in any direction. Fearing that the main body of Indians, with the large horse-herd reported, might pass in my rear to the river, I retraced my steps toward the Carisa, hoping to discover a fresh trail since the rain, but without success. Arrived at Carisa at 7 p. m. distance traveled, fifty-five miles.

On the following morning I marched to a point in the open country between the Carisa and Rio Grande, where the Indians had invariably crossed before. Mr. Levy English accompanied me as guide. I sent small parties to all prominent points in the vicinity to overlook the valley, and remained in this place until noon, when three Mexicans came to my camp and reported that the Indians had crossed about fifty miles below me near Lopez's ranch. I then started for the Peña, where I met Lieutenant Orleman and his company, B, of the Tenth Cavalry; we then started for the Rio Grande, (both companies.)

About ten miles from the river I struck the trail of about eight Indians and followed it to near Ruega's ranch. Upon our arrival at this place I found that the main party of Indians, with sixty head of horses, had crossed the Rio Grande on the 23d, (seven days before us and the day I left Fort Duncan.) Having only two days' rations left, I proceeded up the river to the ranch of Don José Martinez, who received and treated us very kindly; I was here informed by several Mexicans that the Indians had passed through a small town in the interior of Mexico, called Poytes, five days ago, offering horses for sale. Don José Martinez told me, in a quiet way, that a well-known Mexican on the frontier, named Ariola, and fourteen Mexicans had joined the Indians near the Presidio del Rio Grande, and that they were undoubtedly engaged in the stealing of said stock. One party of thirty Indians and sixty horses crossed the Rio Grande six miles below Lopez ranch, and another of eight Indians crossed at Lopez ranch with thirty head of horses. The next morning after leaving Martinez ranch, the courier overtook me with orders for me to return to Fort Duncan with Company B, Eighth Cavalry, which met me on the road.

There is no doubt that the Mexican authorities are responsible for the crossing of this party of Indians, as they presented a "passport" at the Presidio del Rio Grande, authorizing them to cross the river into Texas for the purpose of hunting, and those that saw the party recognized several Mexicans among them, and it was well understood along the river that this was a regular contract made with the Indians by the Mexican authorities to obtain horses.

At 2 o'clock p. m., on the first instant, I arrived at Fort Duncan, Texas, where I received orders to march to this post.

Very respectfully, your obedient servant,

J. D. STEVENSON,

First Lieutenant Eighth Cavalry Commanding Company K.

*ACTING ASSISTANT ADJUTANT-GENERAL, District of the Nueces,
(Through Post Adjutant,) Fort Duncan, Tex.*

GRAZING CAMP ON THE PINTO, TEXAS,
May 5, 1877.

SIR: I have the honor to report that in obedience to letter of instructions from Headquarters district of the Nueces, dated April 26, 1877, I left this camp with Lieutenant Ellis, Eighth Cavalry, and sixty men of B Company, Eighth Cavalry, on the morning of the 27th, and marched to Fort Duncan, Tex., that day; distance, about sixty miles. From that point my instructions were, to march to the Pequache and scout the Rio Grande to the mouth of the San Pedro, to intercept a party of Indians raiding in the vicinity of Castroville and the adjacent country. Marched from Fort Duncan on the morning of the 28th and camped in the vicinity of Pequache that night; distance marched, about thirty-five miles.

In the morning of the 29th marched to La Iselita, a distance of ten miles, where I learned that the Indians had crossed the Rio Grande some days previous in three parties; one about eight miles below La Iselita, the other two parties making a crossing at the "Gordens," some sixteen miles below. I at once started to find the crossing, but after marching a few miles I found the companies of Lieutenant Stevenson, Eighth Cavalry, and Lieutenant Orleman, Tenth Cavalry, and learning that the trail was cold and washed out by the rain I returned that night to La Iselita under command of Lieutenant Stevenson. From that point I marched with Lieutenant Stevenson two days to Fort Duncan, and from Fort Duncan I returned alone by the mouth of the Pinto, thence up that stream in three days to my camp. On the first night out from Duncan, on my return home, while in camp at the mouth of the Las Moras, at 8 o'clock in the evening and while grazing my animals, an attempt was made by two men to stampede my herd, which attempt was quickly frustrated by Private Dudley, B Company, Eighth Cavalry, who was the first to discover and fire upon the thieves. To his prompt and soldierly action I have the honor to call the attention of the commanding officer.

While at La Iselita I learned from Don José Martinez and the people at his ranch that twenty of the horses stolen from this side by the Indians were taken into the town of Presidio del Rio Grande by the custom-house guard at that place, and that it was their share of the spoils. I was also told that there were Mexicans with the Indians; further, that the Indians had a pass from the jefe de politico in Saragossa to hunt on this side of the river and to rob Americans; that at New Town there was a regularly-organized band of Mexicans who assisted the Indians in all their forages on this side.

Very respectfully, your obedient servant,

O. B. BOYD,
First Lieutenant Eighth Cavalry,
Commanding Company.

POST ADJUTANT,
Fort Clark, Tex.

[First indorsement.]

HEADQUARTERS DEPARTMENT TEXAS,
May 16, 1877.

Respectfully forwarded for the information of the division commander, calling attention to the remarks of Colonel Shafter in regard to the uselessness of confining his pursuit to Texas of raiding-parties, and the probability that should the present revolutionary powers be dispossessed permission to pursue raiding Indians would be given. I have respect

fully to request instructions in regard to how far in such cases I can authorize the troops to go. At present, under telegraphic instructions from the General commanding the Army, they are authorized to follow raiders across the Rio Grande, on fresh trails, and when they are in possession of the stolen property and take refuge with it in Mexico.

E. O. C. ORD,
Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., May 22, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

It is my belief that all reports about raiding-parties on the Mexican frontier of Texas should be received with very great doubts.

There is a condition of revolution along the Mexican border which is stimulated to some extent by citizens of Texas, and if there is any raiding it is liable to be exaggerated.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

HEADQUARTERS OF THE ARMY,
Washington, May 29, 1877.

Respectfully referred to the honorable Secretary of War.

W. T. SHERMAN,
General.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., June 11, 1877.

General POPE,
Fort Leavenworth, Kans.:

The following brief of telegram is referred to you as having troops more convenient than those in Texas:

"JUNE 11.

"Machorro, Lerdist commander, yesterday driven from El Paso; victors threaten to cross into United States after them. We ask government protection.

"SCHULTZ,
"Commercial Agent."
ORD,
Brigadier-General.

SIGNAL-SERVICE, U. S. A.,
United States Telegraph.

Dated El Paso, Tex., June 9, 1877; received at San Antonio, Tex., June 11, 1877, 10 a. m.

To General ORD,
Commanding, San Antonio:

On yesterday Colonel Machorro, leader of the Lerdo party, who has been in peaceable possession of the town of Paso del Norte, was attacked by an armed force of about two hundred and fifty men from Paso del Norte and surrounding avrons; a fight ensued, the result of which was that Machorro's forces were utterly routed, quite a number

on both sides being killed and wounded, and Machorro and officers fleeing to El Paso, Tex., for protection.

The fight being over, the victorious party, having taken possession of Paso del Norte at midnight, assembled with the avowed intention of crossing the river into Texas for the purpose of forcibly seizing Machorro, his officers, and some other citizens of Chihuahua, Mexico, who have been for months residing in El Paso, Tex. The citizens of El Paso, Tex., having been informed at a late hour of the night of this movement and apprehending serious trouble, at once assembled and organized themselves for protection, appointing committees of safety and defense. El Paso has been, and is now, in great danger of an attack from Mexican revolutionists, and the limited number of citizens renders it impossible to protect life and property against such.

For these reasons we earnestly appeal to government for assistance, that our lives and property may be protected, as we are two hundred miles from the nearest military post, and have been, and are now more than ever, exposed to the insult and depredations of the Mexican revolutionists.

J. A. ZABRISKIE,
LOUIS CARDIS,
A. KRAKAUER,

Committee of Citizens of El Paso, Tex.

I hereby certify that the foregoing statement is true.

SOLOMON SCHULTZ,
United States Commercial Agent, El Paso.

[Indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, June 16, 1877.

The papers are respectfully forwarded to the headquarters Military Division of the Missouri.

El Paso is in the Department of Texas, and not in this department. I have, therefore, no jurisdiction over it, nor am I sufficiently acquainted with the facts and orders on the subject of Mexican border troubles to take any action. Even if I were, I have not the troops to send without exposing the people of New Mexico to the Indians in the southern part of the Territory.

This department has been so depleted of troops for the Indian campaign north of the Platte, that for a year past the frontier of the department has been in a critical condition.

I have been compelled to draw troops from New Mexico to the full extent possible for the security of the frontier along the Kansas and Colorado lines.

The arrival of a large number of lately hostile Indians in the department demands the services of all the force I can spare from elsewhere.

There are no troops in New Mexico nearer to El Paso than Fort Stanton, which cannot be safely weakened.

JOHN POPE,
Brevet Major-General, Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, June 22, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

HEADQUARTERS OF THE ARMY,
Washington, June 26, 1877.

General Ord's department takes in the post of El Paso, but New Mexico is so near, that General Pope was advised as a matter of courtesy. Indeed, New Mexico is the point where we have a right to expect international complications in case of civil war resulting in Mexico. Therefore, General Pope must take notice of the facts herein recited; not that he can prevent hostilities between contending factions in Mexico, but that the United States do not deny the right of asylum, and that the Mexican authorities do not have reason to accuse us of harboring parties who are openly carrying on war with our neighbor.

General Pope should have at least an officer there to report the facts, and, if need be, a company of troops. If he has not a company to spare, he should call on his division commander.

W. T. SHERMAN,
General.

Copy of foregoing indorsement of General of the Army furnished for the information of the commanding general Division of the Missouri, June 27, 1877.

[Telegram.]

SAN ANTONIO, June 11, 1877.

General DRUM, *Chicago* :

Telegram regarding raids received. Anticipated that order [to] cross might stir up central authority. Instructions had been sent to meet such action. At present Central Mexican Government not troops to maintain its own authority on frontier. Following shows :

"EAGLE PASS, June 4, 1877.

To Colonel SHAFTER,

"Fort Clark, Texas :

"Areola, a noted bandit, terror of all parties, with thirty men, is in the oak timber at La Trienta y Una, a creek that empties about seven leagues above San Felipa into the Rio Grande Valley. Anti-Diaz surprised a detachment at San Juan de Sabinas, captured a lot of horses and arms, and eight prisoners. General Trevino, of Diaz faction, is at Santa Rosa. An American, who came yesterday from Monclara, says there is not over 200 regular soldiers between here and Saltillo.

"WM. SCHUHARDT."

ORD,

Brigadier-General, Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, Ill., June 12, 1877.

General E. D. TOWNSEND,

Washington D. C.:

The following dispatch from the adjutant-general, Department of Texas, has just been received, and is forwarded for the information of the General of the Army. I would state that the recent telegram from the General of the Army, enjoining a greater degree of caution upon General Ord, was immediately transmitted to him.

The man Valdez, referred to in Captain Kelley's dispatch, is, to the best of my recollection, a revolutionary leader in Mexico. He was at one time driven to the American side of the river at Eagle Pass, where

he surrendered himself and his troops, and was sent as a prisoner to San Antonio and afterward released. I think that he is now at the head of a movement in the interests of ex-President Lerdo, and probably has his backing at San Antonio, where General Escobedo has recently been staying. I presume that the two engagements which Captain Kelley says occurred, one on the Mexican side of the Rio Grande and the other upon our side, took place between some parties commanded by Valdez and the regular troops of the Diaz government.

I apprehend nothing from this affair save the ordinary confusion incident to the Rio Grande frontier.

P. H. SHERIDAN,
Lieutenant-General.

SAN ANTONIO, TEXAS, June 12, 1877.

DRUM, *Chicago, Ill.:*

The following received and answered, "Not to cross."

"FORT CLARK, June 11, 1877.

"To General ORD, *San Antonio:*

"Following just received:

"My men will be all ready to start by midnight. Shall I cross the Rio Grande in pursuit of these troops and attack them if I can overtake them? Please answer at once.

"SHAFER,
"Commanding Post *San Felipe.*"

"JUNE 11, 1877.

"To Acting Assistant Adjutant-General District of Nueces:

"I have the honor to report that a few moments ago three men of the command of Winker Valdez came into the camp in great haste, reporting that yesterday, while in camp in Mexico, not far above the mouth Devil's River, they, Winker's command, had an engagement with Mexicans, regular troops, and being defeated, fled to the American side of the river and encamped near Painted Caves, about the vicinity of Lieutenant Bullis's old camp. They report that to-day at about noon they were attacked in camp by the Mexican troops, and before they had time to escape many were killed. The Mexican troops numbered about four hundred. Any refugees will be retained in camp here until I receive orders concerning them. I start with all available men, thirty-five, to the scene of the attack. Colonel Martinez is one of the men here.

"J. M. KELLEY,
"Captain *Tenth Cavalry.*"

General Ord left this morning for Eagle Pass.

TAYLOR, A. A. G.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, June 13, 1877.

Lieut. Gen. P. H. SHERIDAN,
Commanding Division Missouri, Chicago, Ill.:

Your dispatch of 12th, concerning crossing of Mexican troops into Texas, read to the President, and order for our troops not to cross approved.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, June 13, 1877.

SIR: I have the honor to transmit for your information copy of a telegram from General Sheridan, communicating a dispatch from the adjutant-general's department of Texas, relative to two engagements alleged to have taken place between Mexican troops and revolutionists under Valdez, the first occurring on the Mexican side, the latter on the American side of the Rio Grande; also a copy of a telegram to General Sheridan communicating the action of the President in the premises.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk, for the Secretary of War, in his absence.

HON. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., June 15, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

Colonel Shafter, commanding at Fort Clark, Tex., has interned two colonels, two lieutenant-colonels, five captains, and forty-five privates, Mexicans, recently engaged in conflicts on the Rio Grande, and who fled to our side. What shall be done with these prisoners? I doubt if they are worth the rations which we will be obliged to issue to them if we keep them.

P. H. SHERIDAN,
Lieutenant-General.

HEADQUARTERS OF THE ARMY,
Washington, D. C., June 15, 1877.

Lieut.-Gen. SHERIDAN,
Commanding Division Missouri, Chicago, Ill.:

Your dispatch concerning interned Mexicans has been submitted to the President, who directs that, if necessary to preserve peace on the borders, they be kept under the present restraint and rationed until further orders.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, June 15, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from Lieut. Gen. Sheridan, dated the 15th instant, reporting that Colonel Shafter has interned a number of Mexican soldiers recently engaged in conflicts on the Rio Grande, and who fled to our side of the river; also a copy of the reply of the Adjutant-General of the Army to General Sheridan's question as to what disposition should be made of the prisoners above referred to.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk, for the Secretary of War, in his absence.

HON. SECRETARY OF STATE.

TREASURY DEPARTMENT,
June 18, 1877.

SIR: I have the honor to transmit herewith a copy of a letter from S. C. Slade, esq., collector of customs at El Paso, Tex., dated the 29th ultimo, in reference to the taking of the city of El Paso, Mexico, on the 28th ultimo, by the partisans of Lerdo de Tejada, and of a further letter from him, dated the 30th ultimo, requesting instructions relative to the crossing of armed bodies of men into Mexico, and the arrival of arms and ammunition at that point destined for Mexico.

This department will, as far as may be within its power, cheerfully co-operate with your department in any measures you may adopt in the premises.

I have the honor to be, sir, your obedient servant,
JOHN SHERMAN, *Secretary.*

Hon. GEO. W. McCrARY,
Secretary of War.

CUSTOM-HOUSE, EL PASO, TEX.,
Collector's Office, May 29, 1877.

SIR: I have the honor to inform you of the capitulation of the city of El Paso, Mexico, on the morning of the 28th instant, to the partisans of Lerdo de Tejada, under the immediate command of P. J. Machorro, colonel of the second regiment Mexican infantry, who is acting under the authority and instructions of General Escobedo. The taking of the city was accomplished between the hours of 1 o'clock and 6 o'clock a. m. All of the principal city officials were taken prisoners, among them Rafael Varios, collector of customs, and nearly all his subordinates, José Ma. Mesa, jefe politico, (mayor,) and others; fifteen in all.

It appears that the uprising is general throughout the State of Chihuahua, in accordance with a well-matured plan some time since perfected, and of which this movement is only a part.

It is authentically stated that quite a large body of men will assemble at this point for the ostensible purpose of entering Mexico to develop the mines, &c., but really their object is altogether a different one. At present there are no undue demonstrations, but at the same time a feeling of great insecurity prevails, because of the belief of an attempt at counter-revolution, outrages, and depredations, consequent on this frontier under similar circumstances. One G. Mirando, who was made mayor of the city by Colonel Machorro, publicly declared that he would drive every American out of the place. If any attempt is made to carry this threat into execution, trouble will ensue. The absence of troops here at the present time is greatly deplored.

I am, very respectfully,

S. C. SLADE,
Collector.

Hon. SECRETARY OF THE TREASURY,
Washington, D. C.

CUSTOM-HOUSE, EL PASO, TEX.,
Collector's Office, May 30, 1877.

SIR: I would respectfully request explicit instructions regarding my duty in case armed bodies of men crossing into Mexico at this port,

and quantities of arms and ammunition arriving here destined for Mexico.

I am, very respectfully,

S. C. SLADE,
Collector.

Hon. SECRETARY OF THE TREASURY,
Washington, D. C.

Official copy of these papers referred, June 23, 1877, to General P. H. Sheridan, commanding Military Division of the Missouri, to instruct the department commanders of Departments of New Mexico and Texas to maintain a strict neutrality in any conflicts likely to arise on the Mexican border.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., June 20, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch from General Ord, dated Fort Clark, Tex., June 19, is respectfully forwarded:

"General Treviño, commanding here, of the Bravo, and two of his staff, came over with me from Duncan; gave him a review, &c.; went back yesterday. Good understanding between us on the basis of my instructions regarding prompt action to suppress marauding and the co-operation of our troops on both sides the river in necessary pursuits. Think he is satisfied that nothing but good can possibly result."

P. H. SHERIDAN,
Lieutenant-General.

WAR DEPARTMENT,
Washington City, June 23, 1877.

SIR: I have the honor to transmit, for your information, copy of a dispatch of the 20th instant, from General Sheridan, giving the report of General Ord, that the Mexican General Treviño and two of his staff had come from Fort Duncan to Fort Clark with him; that he had given a review, &c., and there was a good understanding between them in regard to the prompt measures to be taken for the suppression of marauding and the co-operation of the troops of both sides.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, June 27, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 23d instant, respecting the good understanding between General Ord and the Mexican General Treviño, in regard to the measures to be taken for the suppression of marauding, and to inform you

that it has been read with gratification, as encouraging a hope of successful co-operation to put a stop to the raids from Mexico.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., June 25, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

I was instructed by the Lieutenant-General, previous to his departure this morning, to forward the following dispatch:

"FORT CLARK, TEX., *June 24.*

"General DRUM, *Chicago, Ill.:*

"Colonel Martinez and party still here. They and their horses being fed. As they fled to the United States to save their lives and gave themselves and private arms up at the nearest station to protect themselves from attack on this side, I recommend their discharge and the restoration of private arms, on their giving paroles not to join any organized band while in the United States to war with people at peace with us.

A party of eighteen or twenty raiding Indians passed twenty-six miles north of this on the 21st, going for Mexico with stolen property. They killed a ranchman north of this. Rangers have the trail; troops following; will take it when it enters Mexico and follow with sufficient force to their camps if necessary.

"ORD,
"Brigadier-General."

"R. C. DRUM,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, June 28, 1877.

SIR: I have the honor to transmit for you information a copy of a dispatch from General Ord, reporting that Colonel Martinez and party are still at Fort Clark, Tex., and being fed by the United States; he recommends their discharge and the restoration of their private arms upon condition of their giving their paroles. Also reports that a party of eighteen raiding Indians had passed twenty-six miles north of Fort Clark, and the intention of following them into Mexico if necessary.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk, for the Secretary of War, in his absence.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, July 2, 1877.

SIR: I have the honor to acknowledge the receipt of the letter of the 28th ultimo from the War Department, and, in reply, to state that no objection is seen to the discharge of Colonel Martinez and party, pursuant to the recommendation in General Ord's telegram.

I am, sir, your very obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, July 5, 1877.

COMMANDING GENERAL

Military Division Missouri, Chicago, Ill.:

At instance of Department of State, approved by Secretary of War, the General of the Army directs that Colonel Martinez and party of Mexicans now held at Fort Clark, Tex., be discharged, and their private arms, &c., restored under conditions recommended by General Ord in his dispatch June 24, forwarded by you on the 25th.

Acknowledge receipt and report action.

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Telegram.]

SAN ANTONIO, TEX., 6.

To DRUM, A. A. G., Chicago, Ill.:

Telgeram of 5th instant received, and Colonel Shafter informed as follows: The General of the Army directs that Colonel Martinez and party be discharged and their private arms and horses be restored to them, on condition that they give their paroles not to join any organized band while in the United States to war with the people at peace with us. Colonel Shafter was directed to acknowledge receipt.

ORD,
Brigadier-General.

TREASURY DEPARTMENT,
June 28, 1877.

SIR: I have the honor to inclose, for your information, copy of a telegram, dated 27th instant, from Cheney R. Prouty, collector of customs at San Antonio, Tex., in which he states that forty-three Mexicans, belonging to the Lerdo Tejeda party, crossed the Rio Grande into Texas, with their horses and equipments, and that they were followed and attacked by Colonel Garcia, of the Diaz party, and that the horses and arms were retained by the United States commanding general, to await further orders of the Secretary of War. I also inclose copy of a telegram sent to said collector to-day, giving him instructions in regard to the disposition to be made of said horses and equipments.

Very respectfully,

JOHN SHERMAN,
Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Inclosures.]

SAN ANTONIO, TEX.,
June 27, 1877.

SECRETARY OF THE TREASURY,
Washington, D. C.:

On 11th instant, forty-three Mexicans, of Lerdo Tejeda party, after a defeat, fled from soldiers of Diaz party, and crossed Rio Grande into Texas near Pecos River. Were followed, attacked, and routed again by Colonel Garcia, of Diaz party. Thirty-nine Mexicans escaped, with horses and equipments, gave themselves up, and are now under control of military authorities at Fort Clark. On 19th instant, I demanded said horses, arms, &c., as contraband, and was informed by commanding general that said horses, arms, &c., would be retained until further orders, by order of Secretary of War.

In accordance with instructions of Secretary of State, General Ord this day verbally informed me that he had asked by telegraph that said Mexicans be released on parole, together with their horses, arms, &c. If released, shall I cause horses, arms, and equipments to be immediately seized as contraband?

CHENEY R. PROUTY,
Collector.

[Telegram.]

WASHINGTON, D. C., June 28, 1877.

CHENEY R. PROUTY,
Collector of Customs, San Antonio, Tex.:

President absent. Allow General Ord to dispose of horses and equipments as he deems best, upon orders given him. Do not seize them.

JOHN SHERMAN,
Secretary Treasury.

Copy of this correspondence furnished July 5, 1877, for the information of the commanding general Department of Texas, through headquarters Military Division of the Missouri.

[Telegram.]

SAN ANTONIO, TEX., June 27, 1877.

(Received, Chicago, June 27, 1877.)

ADJUTANT-GENERAL,
Chicago, Ill.:

The following just received from Devin, Fort Brown:

"My report of conference with General Canales already forwarded by mail. In addition thereto, the general came to Fort Brown yesterday, and informed me that his government had telegraphed him to abide by the arrangement entered into by Generals Ord and Treviño, and that, as soon as General Treviño would notify him of the details of said arrangements, he would inform me of the same. Please cause this telegram to be filed with my report, unless it reaches you earlier."

ORD,
Brigadier-General.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
*Chicago, June 28, 1877.*Respectfully forwarded to the Adjutant-General of the Army.
In absence of the Lieutenant-General,R. C. DRUM,
*Assistant Adjutant-General.*HEADQUARTERS DISTRICT OF THE RIO GRANDE,
Fort Brown, June 25, 1877.

SIR: Pursuant to instructions contained in your communication of 10th instant, I proceeded to the city of Matamoras, and placed myself in communication with General Canales, the Mexican commander on this line. I explained to the general the tenor and substance of my instructions from department headquarters in reference to the crossing of United States troops in pursuit of raiders and depredating parties, and invited his attention to the fact that by those instructions the same liberty of action was accorded to the Mexican authorities under similar circumstances or provocation, and asked his co-operation, and further that he should instruct his subordinates north of this point to co-operate with mine to a similar end.

It is evident to me that, although studiously polite and profuse in his expression of a desire to maintain friendly relations, the tenor of my instructions was not palatable to him. He expressed his willingness to co-operate in so far as he was empowered, but states that in the matter of permitting the crossing of United States troops into Mexico for that purpose, he would first have to communicate with his superior. I assented to the propriety of such action, and he then asked that if in the mean time, in my opinion, occasion called for the crossing of troops, what would be *my* action? I replied that under my instructions I should cross them without hesitation. This answer appeared to embarrass him, and after some little delay he remarked he would only "ignore" the fact of the crossing.

I asked him the relative status of General Treviño's command and his own, and he replied that they were independent of each other. I informed him that General Ord had conferred with General Treviño, and asked him if the latter had communicated with him (Canales) on the subject, and whether Treviño had entered into any arrangement. He replied that Treviño had informed him that he had made arrangement with General Ord, subject to the approval of the central government, which approval he, Canales, must also have before he could consider himself empowered to act, and desired that I should send him a copy of my instructions or a letter embodying their purport and substance.

To this I at first agreed, but not knowing the shape this matter might take, I concluded to first consult you, and shall telegraph for permission to furnish him the paper he desires.

As during the past year there has been an utter cessation of raids and depredations along the line under my command, I have no anticipation that I shall be called upon to act before such time as General Canales will be instructed by his government, if he is at all.

Very respectfully, your obedient servant,

THOMAS C. DEVIN,
Lieutenant-Colonel Eighth Cavalry, Commanding District.

The ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of Texas.

Official copy respectfully furnished the assistant adjutant-general, headquarters Military Division Missouri, with the information that the reason why there has been no armed bands raiding in Colonel Devin's district is simply because until recently the parties in that vicinity (over the river) have been at war and in camps and fortifications near Brownsville, and so evenly matched that any attack from our troops on either party would have been fatal to the other, and both knew that Colonel Devin had orders to pursue any raiders straight to the camps or town of either of the contending parties.

Since the assumption of control by Canales the same orders exist, and I am glad to say that his enmity to Cortina and his former adherents is such that he is rather glad to deprive the latter of the supplies of beef which they used (when Cortina had his way) to draw regularly from Texas.

E. O. C. ORD,
Brigadier-General, Commanding.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, July 12, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
In the absence of the Lieutenant-General commanding.

R. C. DRUM,
Assistant Adjutant-General.

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 17, 1877.

Respectfully submitted to the Secretary of War, with copy of this paper, also copy of telegram of June 27, 1877, from commanding general Department of Texas, for the information of the Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

5855.]

WAR DEPARTMENT, *July 19, 1877.*

SIR: I have the honor to transmit, for your information, copy of a letter from Lieutenant-Colonel Devin reporting the result of an interview with the Mexican General Canales, at Matamoras, on the subject of the troubles on the Rio Grande border, and his orders respecting the pursuit of raiders, accompanied by remarks by General Ord; also, copy of a telegram of June 27, 1877, from General Ord.

Very respectfully, &c.,

G. W. McCORARY,
Secretary of War.

To the Hon. the SECRETARY OF STATE.

[Copy of translation.]

EAGLE PASS, June 26, 1877.

Col. JOSÉ MARTINEZ,

Fort Clark :

MY DEAR FRIEND: As I promised you in the letter I sent you by Luna, I write you now to inform you of all I know positively, so that you may tell Firso, Prado, and the rest of the friends.

From reliable letters from Chihuahua, up to the 8th instant, we know that a certain chief named Ojinaga threatens that city, and keeps the whole country alarmed. Said letters assure that when once a few small difficulties which exist between some friends are arranged the Tuxtepecan administration of said State will violently disappear, because it will not have the support of the people.

The State of Colima pronounced entire, with its governor and legislature, and placed at the head of the federal troops, and of the State, General Angel Martinez, who immediately occupied the port of Manzanillo.

This notice is officially communicated to General Escobedo.

The Canton of Tepic arose in arms against Diaz for having turned out of the Tuxtepecan Congress the representative they had sent. This movement has caused similar action in the State of Jalisco, for Zapotlan, Zocoales, and other points have pronounced.

The State of Guerrero, with its port of Acapulco, is in possession of General Alvarez, who destroyed all the forces of Jiminez, and is now operating on the South Oaxaca.

Col. Julian Herrera has pronounced in the State of St. Louis, and we believe that General Petro Martinez has already pronounced, because Trevino has been hastily called to Monterey and Saltillo for the purpose of aiding St. Louis.

In the States of Michoacan, Queretaro, Chiapas, Tabasco, Morelos, Hidalgo, and Mexico there are guerrilla bands that have pronounced, and lately a brigade of 1,200 men pronounced within the city of Mexico, which I communicated to you by telegraph.

It is beyond a doubt that Diaz is going to fall, and that very soon, because he cannot rely on the army, and, moreover, there is opposition to him among his own partisans.

At present we can rely on many Tuxtepecan chiefs of the interior, who are disgusted with Diaz because he did not assign them, and also with the army, which is undermined.

The federal forces which Mier brought were taken away by Trevino. All this shows that they will pronounce with the greater part of their chiefs, who are already compromised, and we only await to arrange a few matters on this side.

Notwithstanding, before he left, we crossed fifty-seven men to this side, and all of them went with General Escobedo.

The towns of the district of the Rio Grande refused to give Fructuoso men, and the greatest demoralization reigns among them, because they feel the coming storm that menaces them. Fructuoso and Ramirez sleep out of town every night.

The general movement on the line of the Bravo is about to break out, for we were only waiting for the coming of General Escobedo to verify it.

Your time to come is approaching, as we are assured by Señor Escobedo, who has been consulting with General Ord upon that point.

The circumstance that General Ord left for San Felipe prevented you

from speaking to Escobedo, for I myself took the telegram asking that they should permit you to come and consult with him.

A courier that came from Laredo made no return from the post which is between this point and the place where you are, and for this reason General Escobedo had to leave before seeing you, which he desired to do.

Nevertheless, he will soon return, and will then know a good many important things. Be sure that whatever important news arrives you shall know, and the rest of the friends, because I will not be slow to communicate them.

To Firso, Prado, and the rest of the friends, and for yourself, kindest regards from me.

Without any more, receive the sincere friendship of your sincere friend, who appreciates you.

PEPE.

Petrita, the daughter of Valartin, is better.

A fair translation.

A. M. RAPHALL,
Lieutenant Eleventh Infantry.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 9, 1877.

A true copy, respectfully forwarded to the assistant adjutant-general, Military Division of the Missouri, for the information of the Lieutenant-General commanding.

E. O. C. ORD,
Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, July 13, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
In the absence of the Lieutenant-General commanding.

R. C. DRUM,
Assistant Adjutant-General.

[Third indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 18, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

5881.]

JULY 19, 1877.

SIR: I have the honor to transmit, for your information, translation of a letter from Pepe to Col. José Martinez, relative to political affairs in Mexico, giving the names of generals and others who have pronounced against Diaz, and stating it is beyond a doubt that the latter is going to fall very soon, with an indorsement by General Ord.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

To the honorable the SECRETARY OF STATE.

TREASURY DEPARTMENT, *June 26, 1877.*

SIR : Respectfully referring to the letter of this department, addressed to you on the 18th instant, inclosing copies of letters from the collector of customs at El Paso, Tex., concerning the movements of insurrectionary forces on Mexican soil, I have the honor to inclose herewith copies of two additional letters from said collector, dated 5th and 9th instant, relating to the same subject.

Very respectfully,

JOHN SHERMAN, *Secretary.*

HON. GEORGE W. MCCRARY,
Secretary of War.

CUSTOM-HOUSE, EL PASO, TEX.,
Collector's Office, June 5, 1877.

SIR : I have the honor to inform you that last night Colonel Machorro, leader of the Lerdo party, who has been in peaceable possession of the town of Paso del Norte, Mexico, for the last ten days, was attacked by an armed force of two hundred and fifty men from Paso del Norte and surrounding towns. A fight ensued, the result of which was that Colonel Machorro's forces were utterly routed; quite a number on both sides being killed and wounded; Colonel Machorro and his officers fleeing to this side of the river for protection. The fight being over, the victorious party, having taken possession of the town at midnight, assembled with the avowed purpose of crossing the river and forcibly seizing Colonel Machorro, his officers, and other citizens of Chihuahua, who had been for months residing on this side of the river. The citizens of this town, learning of this movement, and apprehending serious trouble, at once assembled and organized themselves for protection.

To-day, the self-constituted commander-in-chief of the rabble which has succeeded in taking possession of El Paso, Mexico, has demanded that Colonel Machorro, his officers, and all other Mexican political refugees sojourning on this side the river, be given over to them under the extradition laws.

The answer of the district judge has not been given as yet.

I am, very respectfully,

S. C. SLADE, *Collector.*

HON. SECRETARY OF THE TREASURY.

CUSTOM-HOUSE, EL PASO, TEX.,
Collector's Office, June 9, 1877.

SIR : Since the 5th instant, the date of my last, concerning the Mexican revolution at this point, nothing new has transpired. The town of El Paso, Mexico, is still in the hands of the people who wrested it from Colonel Machorro.

It is ascertained that shortly after Colonel Machorro took the place, he levied a "prestimo" of one and one-half cent, according to the tax-rolls, and attempted to collect it. The poorer people complained and demurred, whereupon Colonel Machorro threatened imprisonment and shooting. These threats excited and aroused the people to the determination to drive Colonel Machorro and his followers out of the place, which they did on the 4th instant.

Colonel Machorro and his followers are now on this side the river. Both parties are preparing and strengthening themselves; one with the determination of returning into Mexico and retaking the place, and the other for the purpose of resisting. A sharp conflict is anticipated. All communication with the interior cut off, and business at an end.

I am, very respectfully,

S. C. SLADE, *Collector.*

Hon. SECRETARY OF THE TREASURY,
Washington, D. C.

Referred from War Department to General of the Army, and copy furnished July 5, 1877, for the information of the commanding general Military Division of the Missouri.

Copies of papers relating to the condition of the Mexican border of Texas, and to violations of the territory of the United States, by incursions from Mexico, since March 3, 1877.

PART II.

MISCELLANEOUS REPORTS AND CORRESPONDENCE FROM JULY 6 TO
NOVEMBER 3, 1877.

Official:

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, November 7, 1877.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 6, 1877.

DRUM, *Assistant Adjutant-General,*
Chicago, Ills.:

The following is brief of letter received on the 3d instant from General Trevino:

"I have received instructions from my government relating to frontier affairs. Would like to confer personally with you on the subject, but bad health prevents. Will send a commissioner soon with the instructions, meanwhile pray order the chiefs along the line not to trespass beyond the territorial limits of Mexico, as you indicated to me privately. Have taken measures to move some troops of my division to give security to frontier villages and to apprehend the savage tribes that reside in the forests of the same. I do not believe that on this account there will be motive to resort to that measure. (Ord presumes he refers to measure of crossing.) I rest, nevertheless, in confidence that you have ordered

that armed parties be not allowed to organize in Texas to invade Mexico under any pretext. The new era of progress in Mexico is going on peacefully. Confidence reigns in all parts."

To which I answered July 4 and, after referring politely to the other matters of his letter, said:

"I am sorry to inform you that since I had the pleasure of your visit a large band of Lipan savages have committed another aggravated raid into Texas, carrying off or killing over a hundred horses, and grievously wounding one peaceable citizen; that the trail as far as found leads into the unexplored and desert mountains of the North Coahuila or Southern Chihuahua, where Mexican troops, I believe, seldom penetrate; and as your letter states that the disposition of your troops has been made for the protection of your frontier villages, it will take them far from the refuge of the savages. I could not, with due regard to my orders, even were I so disposed, arrest the pursuit of them while there is a prospect of their being overtaken. In the matter of invading bands into Mexico, I have given strict orders that, as far as the use of our troops can prevent, armed bands of revolutionists shall not violate our neutrality by invading Mexico. One such band, about whose intentions doubts exist, is still held as prisoners. I only wish your force and the condition of your frontier were such that you, general, could arrest and hold in the same way the band of savages which have just committed the outrageous raid into this country and retreated into Mexico with their plunder.

"E. O. C. ORD."

I have to add that the troops are on the trail of last party of raiders, and will, if they have not done so, follow them into Mexico. General Treviño was furnished with copy of my instructions, and informed that they would be executed. He asked that regulars under discreet officers only be allowed to cross.

ORD,
Brigadier-General.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, July 7, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
In the absence of the Lieutenant-General commanding,

R. C. DRUM,
Assistant Adjutant-General.

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 10, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington, July 10, 1877.

SIR: I have the honor to transmit for your information copy of a brief of a communication received by General Ord, commanding the Depart-

ment of Texas, from the Mexican General Treviño, on the subject of raids, and the organization of parties in Texas with the object of invading Mexico, and of the reply of General Ord thereto.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk, for the Secretary of War, in his absence.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,

Washington, July 10, 1877.

SIR: I have the honor to append for your information a copy of a telegram dated the 7th instant, from Brigadier-General Ord, in relation to unexplored country in Mexico used by raiders.

I am, sir, your obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. MCCRARY,

Secretary of War.

[Telegram.]

SAN ANTONIO, TEX.,

July 7, 1877.

To F. SEWARD,

Assistant Secretary of State, Washington, D. C.:

MR. MATA may deny that there is unexplored country in Mexico used as refuge by raiders, as stated in my telegram sent through division yesterday. If so, you can refer him to my telegram to Adjutant-General of to-day.

ORD,

Brigadier-General.

HEROIC MATAMORAS, *June 30, 1877.*

MY DEAR SIR: I have been ordered by the Government of Mexico to report all the information relative to the manner that security is maintained on this frontier, in the line under my command, which includes from Bagdad to New Laredo.

At the two conferences at which I had the honor to assist with you, I heard it with satisfaction expressed that the government at Washington had informed you that in the territory under your command on the left bank of the Bravo, and parallel to that which is under my vigilance on the right—that since my presence on this frontier no invasion of Indians or cases of robbery have taken place in the territory of the United States; and it will be very gratifying to me to render this information, if this opinion can accompany it, in writing. If this meets with your views have the kindness to signify the same in your answer to this letter.

SERVANDO CANALES.

Lieut. Col. I. C. DEVIN,

Commanding District of the Rio Grande, Fort Brown, Texas.

A fair translation:

A. M. RAPHALL,

Lieutenant Eleventh Infantry.

[Indorsements.]]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 10, 1877.

Respectfully forwarded to the Adjutant-General of the Army for the information of the Secretary of War.

E. O. C. ORD,
Brigadier-General U. S. A., Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, July 17, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 19, 1877.

SIR: I have the honor to transmit for your information a copy of a communication from General Servando Canales, a commander of Mexican troops on the Rio Grande frontier, to Lieutenant-Colonel Devin, commanding district of Rio Grande, stating that he has been ordered by the Government of Mexico to report the manner that security is maintained on the Mexican border.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 7, 1877.

TOWNSEND, *Adjutant-General,*
Washington, D. C. :

Following just received. It accords with my reply to Treviño's letter, telegraphed to division yesterday. I telegraphed Shafter no necessity of following trail of Indians to where already punished by Bullis, but look close for that made by the party that raided on the Nueces.

ORD,
Brigadier-General.

"FORT CLARK, July 7, 1877.

"General ORD: Had all ready to cross to-morrow in support of Bullis and Hunt. This a. m. at 2 o'clock Bullis came in alone, having raided one hundred and forty miles in thirty-six hours. Bullis, in coming down from Davis, struck the trail of the Indians from Gillespie County half way between the Pecos and Rio Grande, just before night on the 29th June, and only three or four hours behind them. He followed to Rio Grande and crossed river, drowning two of his horses, and on third day came on them as they were resting. He attacked them at once. In-

dians retreated to a mountain, fighting. After an engagement of one hour, they all managed to escape, some of them wounded.

"Bullis got all of the horses but two. The fifty reported by General Clitz as passing Point Rock Spring are all accounted for—eight left on trail and six killed while rangers were on trail, nine while Bullis was on trail, two taken away by an Indian, and twenty-three captured by Bullis. He also found at the camp parts of the harness taken from Johnson, on the Nueces, showing that some of the band that scattered after that affair had got with the party raiding in Gillespie County, probably joining them in Mexico, as they went out ten days first. Bullis reports the Indians as Lipans, and that he saw no signs to indicate that they were near their village. This is likely near some of the towns.

"I have ordered companies to stop as they are until your orders are received. The trail followed by Bullis is the only plain trail that we know has lately crossed, and as the Indians who made it have been caught, I will not go on without further orders, as Lieutenant Bullis reports it impossible to follow trail from where he struck them, and scouting on the other side would have to be for the Indian camps or anything that might turn up.

"SHAFTER,
"Lieutenant-Colonel."
ORD,
Brigadier-General.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 9, 1877.

Respectfully submitted to the Secretary of War, with copy for Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 9, 1877.

SIR: I have the honor to transmit for your information copy of a telegram from Colonel Shafter, dated Fort Clark, Texas, July 7, 1877, reporting the crossing into Mexico, and the result of an engagement between United States troops and Indians, and the recapture of stolen stock.

Very respectfully, your obedient servant,

H. T. CROSBY,
Chief Clerk, for the Secretary of War, in his absence.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 16, 1877.

ADJUTANT-GENERAL, Washington, D. C.:

The following is copy of letter brought by Mr. Villareal.

"CONSTITUTIONAL ARMY, NORTHERN LINE.

"GENERAL IN CHIEF: In compliance with orders received from the

government of my country, and the offer that I made you, Mr. Viviano L. Villareal visits you to place in your hands a copy of the instructions that I received from my government to confer or treat with you on the points that these instructions cover, and to let you know the steps that had been taken by me to prevent robberies being committed on the two sides of the Bravo, and to arrest and punish in a proper manner the delinquents who seek with the impunity of their crimes to hide themselves on the sides opposite to where they commit robberies. Consider the understanding that I and you have as much to do over this as that we shall guard by our respective forces the parts of the territory that correspond to our respective nations. I pray you that you will give entire credit to anything which my commissioner may communicate to you—hear him with attention, for it depends in the greater part on the judgment that you may form of the matter as to peace between both nations.

“With this motive, I have the honor to present to you my respects.

“Liberty in the constitution.

“Monterey, July 1, 1877.

“G. TREVIÑO.

“General E. O. C. ORD,

“*Major-General U. S. Army, San Antonio.*”

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,

Washington, July 17, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

THOS. M. VINCENT,

Assistant Adjutant-General.

WAR DEPARTMENT,

Washington, July 18, 1877.

SIR: I have the honor to transmit for your information a copy of a communication, forwarded by General Ord, from General Treviño, commander of the Mexican forces, relative to the troubles on the Rio Grande border, and the instructions received by him from his government to confer with General Ord on the subject.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,

Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,

Washington, July 17, 1877.

SIR: I have the honor to inclose for your information a copy of a telegram just received from John W. Foster, esq., United States minister to Mexico.

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

F. W. SEWARD,

Acting Secretary.

Hon. GEORGE W. MCCRARY,
Secretary of War.

[Telegram.]

UNITED STATES LEGATION,
Mexico, July 9, 1877.

(Forwarded by telegraph from New Orleans by Postmaster Parker.)

Hon. W. M. EVARTS, *Secretary of State, Washington, D. C. :*

Diaz disavows completely the Mexican violation of American territory, and promises prompt investigation, reparation, and punishment, but also expects modification of instructions to Ord. Details by mail.

JOHN W. FOSTER.

[Telegram.]

SAN ANTONIO, TEX., *July 13, 1877.*

General TOWNSEND,

Adjutant-General, Washington, D. C. :

To-day Mr. Villareal presents a letter from General Treviño, with a copy of the latter's instructions from Mexico, which are to the effect that he must use force to repel crossing into Mexico as a violation of treaties, &c. He requests that I suspend crossing my troops until treaty can be made to provide against raiding. Have answered him that my instructions require me to cross after raiders as long as they are permitted to cross from other side, and their plunder is not returned, but will forward his request; and I now ask, are my instructions still in force? Am massing troops enough to cross if necessary, notwithstanding any force likely to be brought against them.

ORD,
Brigadier-General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 14, 1877.

Respectfully submitted to the Secretary of War, with copy for Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Telegram received in cipher from San Antonio, Tex., July 14, 1877.]

TO ADJUTANT-GENERAL, *United States Army:*

I don't wish my telegram of yesterday to be understood as asking new instructions. Those I have will achieve the desired result, for, rather endure the expense and unpopularity consequent upon keeping nearly everybody in the field to meet the respectable force I am collecting to follow raiders' attack, Treviño will soon feel disposed to follow and settle with them himself, and thus make it unnecessary for me to do so. The grazing near Fort Clark is so good this season that it is economy to assemble my cavalry there. The troops move with government transportation.

ORD,
Brigadier-General.

[Telegram.]

HEADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
Washington, July 14, 1877.

General ORD,

Commanding Department of Texas, San Antonio:

Your telegram of yesterday received. The Secretary of War directs that you ascertain and report what force General Treviño has under his command, where they are stationed, and whether, in your judgment, he has the ability at such points and the disposition to aid effectively in suppressing raids, and to capture and return stolen property which may be carried across the border. You will also telegraph, for the information of the Secretary, General Treviño's letter and his instructions, to which you refer.

The Secretary further communicates to you that your orders heretofore given are in all things confirmed. They do not contemplate your passing the border in pursuit when there is a Mexican force ready to execute the duty of suppressing and punishing these predatory incursions into our territory.

When a Mexican force is present to intercept retreating raiders you will leave the performance of that duty on the Mexican side of the line to such force.

In each case report promptly the occurrence and the result of the Mexican dealing with the marauders.

THOMAS M. VINCENT,
Assistant Adjutant-General.

[Telegram.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 14, 1877.

General DRUM,

Headquarters, Chicago, Ills.:

An important telegram, relating Mexican-border affairs, has this date been sent direct to General Ord. Copy to your headquarters by mail.
VINCENT, A. A. G.

WAR DEPARTMENT,
Washington City, July 17, 1877.

SIR: I have the honor to transmit for your information copy of a telegram of the 14th instant to General Ord, confirming and explaining previous instructions, and directing him to ascertain and report as to the efficiency of General Treviño's force to suppress raids and return stolen property, and to telegraph Treviño's letter and instructions previously referred to. Also copy of a telegram of same date from General Ord in regard to his plans.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

SAN ANTONIO, TEX.,
July 16, 1877.

GENERAL VINCENT,

Assistant Adjutant-General, Washinton, D. C.:

In reply to telegram of yesterday, I report the impracticability of learning the number or stations of General Treviño's forces, which have no field stations, and extend over four States, mainly deserts. They are estimated from four hundred to three thousand. Think him unable to suppress raiding unless assisted by people of frontier towns, who deal in stolen horses, and might render that aid if under great apprehensions. I think he is disposed to yield to their wishes and promise as usual. Translation of his letter will be telegraphed. The orders he sends are the same as presented by Mr. Mata to the cabinet June 2, and published in the daily papers; shall I telegraph them? They contain some fourteen hundred words. Mr. Villareal says that Treviño has or will have four hundred men to operate against raiding Indians. From what I hear, his cavalry are partly mounted on horses stolen from this side by Indians.

ORD,

Briadier-General, Department Texas.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,

Washington, July 17, 1877.

Respectfully submitted to the Secretary of War, with copy for the State Department.

THOMAS M. VINCENT,

Assistant Adjutant-General.

[Telegram.]

HEADQUARTES OF THE ARMY,

ADJUTANT-GENERAL'S OFFICE,

Washington, July 16, 1877.

General ORD,

San Antonio:

Your telegram, reporting impracticability of learning number Treviño's forces, and asking if you shall send orders, as presented by Mata to cabinet, received. You need not send said orders. Prior to receipt your telegram, I had telegraphed you, and referred to slip received from our minister to Mexico.

VINCENT, A. A. G.

WAR DEPARTMENT,

Washington City, July 18, 1877.

SIR: I have the honor to transmit, for your information, a copy of a telegram of the 16th instant from General Ord, reporting the estimated number of General Treviño's force on the Rio Grande border, and ex-

pressing the opinion that General Treviño will be unable to suppress the raiding unless assisted by the frontier people who deal in plunder.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, July 18, 1877.

ADJUTANT GENERAL,
Washington D. C.:

The following just received from Shafter:

"Following just received: 'Ellis and Van Vliet go down to Frio and Sabinal.'

"CAMP WOOD, July 18.

"Colonel SCHAFTER:

"Indians reported here on 15th, all on foot; have not stole horses yet. Believe they will go to Frio and Sabinal Canyons. Can you send detachments down main road as far as Uralde or Dhanis? Will let you know anything further.

"PAT DOLAN,
"Lieutenant, Commanding Company F."

No doubt these Indians will get off with a herd of horses, about full moon, for Mexico; have heard of Treviño's troops only at Piedras Negras and Laredo. Should my troops strike the raiders' return trail, are they authorized to cross on it at other points than those named?

ORD,
Brigadier-General.

WAR DEPARTMENT,
Washington City, July 19, 1877.

SIR: I have the honor to transmit for your information copy of a telegram, dated yesterday, from General Ord, communicating a dispatch from Colonel Shafter, in regard to raids, and asking if his troops shall cross into Mexico, in pursuit of raiders, at other points than where Treviño's troops are stationed.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 19, 1877.

ADJUTANT-GENERAL,
Washington, D. C.:

To explain telegram of yesterday, there are scattered along the Rio Grande, in Coohula, ranches, and at long intervals, villages, as high up

as the mouth of San Felipe, near where I have a cavalry company; above that the country is almost a desert; even Mr. Villareal stated to me that it would have to be explored before their troops could operate in it. The Lipan Indians trade among the villages west and southwest of Eagle Pass, but hide their stolen plunder in, and when pressed go to, the mountain and desert district laid down on sheet No. 2, Gillespie's map, of 1876, of the Western Territories, as "*Terreno Desconocido*," and on the last French map in General Humphreys's office as "*Pays inexploré*." Here it was that Bullis followed them lately. Now, if I cross on trails below San Felipe, my troops may find some detached party of irregulars or troops from the towns come to oppose them, but there is hardly a probability of opposition if trails are followed across above San Felipe.

Every effort has been taken on my part to learn stations of Mexican troops, and I have sent Treviño copies of my last instructions, asking to be (in accordance with his instructions from his government) furnished with disposition of his troops to apprehend and punish raiders, that I may better carry out my instructions in the premises.

ORD,
Brigadier-General.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 19, 1877.

ADJUTANT-GENERAL,
Washington, D. C.:

I yesterday telegraphed Major Schofield to notify Treviño, or the commandante of Mexican forces around Piedras Negras, General Naranjo, that Indians were again in Texas from Mexico, and would probably cross back below Fort Duncan when they went out with the plunder, asking his efforts to arrest them. His reply shows what I may expect from their efforts. It is as follows:

PIEDRAS NEGRAS, 1877. (Received at San Antonio, July 19, 11.40 a. m.)

To General E. O. C. ORD:

By the communication which you have been pleased to transmit to the commanding officer at Fort Duncan, I am informed that a party of Indians have crossed into Texas, and who will very likely take the direction of this side of the Rio Grande or its vicinity. On my part, I have taken steps conformable to the forces that I have scattered on this line, in order that they pursue if they come and cross over; and if they are not persecuted with tenacity at the moment, it is on account of the alarm and constant threatening in which the inhabitants are thrown by Weircar and Escobedo, caused by the organizing of forces, which they have been doing for many days, in the villages of this line; but as soon as all this ceases I shall commence the campaign against them, according to superior orders that I have.

NARANJO.
ORD, *Brigadier-General.*

DEPARTMENT OF STATE,
Washington, July 21, 1877.

SIR: I have the honor to acknowledge the receipt of your three letters, dated, respectively, the 17th and 18th instant, in relation to affairs on the Rio Grande border.

I am, sir, your obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. McCrARY,
Secretary of War.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 11, 1877.

SIR: I have the honor to inclose for the information of the proper authorities a letter from Judge Noonan, of this judicial district, State of Texas, who was (at the time he refers to, when steps were taken by him to secure by extradition raiding Lipans) the commissioner authorized under the treaty to act in the premises. I presume the papers giving the names of the Lipans then called, and the replies of the Mexican authorities to his call, will be found in the archives of the State Department; no trace of the copies sent through the headquarters of the military district of Texas is to be found here.

I send this information in order that should the Mexican commissioner, now at Washington, offer to extradite Indian raiders now harbored in Coahuila, it can be seen what has already been attempted in the premises on our part.

Should the Mexican Government be in earnest in the matter of extraditing them, it will have to send a larger and more earnest force than it now has in Coahuila to hunt down and secure the raiders, and to take more positive measures than have ever been yet attempted to punish its citizens for complicity in the raids by purchasing the stolen property of the Indians, and even making bargains beforehand with them to deliver horses or cattle, knowing that they could only be obtained by robbery from the United States.

At present the troops occupying the towns on the frontier of Coahuila are, if my information is correct, composed mainly of levies upon the population of those towns, and who themselves are the instigators to and partakers of the plunder obtained from the United States. As long as this is the case, earnest efforts on the part of such troops to cut off their own supplies cannot be expected; on the contrary, I think it likely they will aid in resisting or defeating every attempt, especially of a small force, to recover stolen stock or the apprehension of the thieves.

In this connection, if my present orders are to be executed, as I sincerely hope they will, I have respectfully to apply for another regiment of cavalry, preferably the Fourth.

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

E. O. C. ORD,

Brigadier-General U. S. Army, Commanding.

The ADJUTANT-GENERAL U. S. ARMY,

Washington, D. C.

JULY 10, 1877.

DEAR SIR: In reply to your inquiry of to-day, I can only make a cursory statement from memory.

In the years subsequent to the war, the Indians were exceedingly troublesome on the Mexican border. In the year 1867, I demanded the extradition of several Lipan Indians who were fully identified as the depredators in a couple of the more recent raids. The testimony against these Indians was furnished by captives who escaped. Upon this testimony, and the corroborating circumstances, the guilty parties were duly indicted in the counties of Uvalde and Barrdera, where the offenses were committed. These indictments were the basis of the demand for the extradition of the criminals. All the formalities required by the treaty and usual in making a demand upon the authorities of a foreign country were strictly complied with. The Indians were named and their

whereabouts in Mexico specified. The Mexican authorities, including the governor of Coahuila, expressed a willingness to carry out in good faith the provisions of the treaty, and yet nothing was accomplished. Finally, after a great deal of delay, the local Mexican authorities acknowledged their inability to give effect to the treaty. Then an effort was made by me to bring the whole matter before the National Governments of Mexico and the United States. To that end, papers were sent to Mexico, through the United States consul at Monterey, Joseph Ulrick, esq., now a citizen of this city, and papers were mailed by me to the Hon. William H. Seward, Secretary of State of the United States. Papers were also sent by me to General Reynolds, then commanding this department, and thus the matter terminated without attaining any satisfactory result.

Yours, truly,

G. H. NOONAN.

General ORD, *San Antonio.*

JULY 19, 1877.

SIR: I have the honor to transmit, for your information, copy of a telegram of the 11th instant, from General Ord, communicating a letter to him from Judge Noonan, showing the efforts heretofore made with Mexico to extradite certain Indian raiders, and giving his opinion as to the disposition and ability of Mexican authorities to prevent raiding, and asking, if his present orders are to be executed, for another regiment of cavalry.

Very respectfully, your obedient servant,

GEO. W. McCORARY,
Secretary of War.

WASHINGTON, D. C., *June 20, 1877.*

MY DEAR GENERAL: I went the next morning after I had the pleasure of seeing you for the information I promised you, but it was "Decoration Day" and the office was locked up. I made after several efforts to see you, but you was out.

I have since copied the inclosed extracts from Major Lowry's letters, as there are many things in them may interest you. Major Lowry was an officer in the Second Dragoons and served in the Florida war. He resigned and was over fifteen years director of the Delores silver-lead mines at Vallecillo, about sixty miles from Laredo, and is well posted on Mexico and the situation of affairs in the region of the Rio Grande. He had the faculty of not offending either parties in their numerous pronunciamientos, frequently giving them provisions and occasionally power not to be molested. He came home a little more than a year ago, and we have replaced him as director by John Sutcliffe, of Poughkeepsie, N. Y. Our letters to the mines are sent to the post-office at Laredo, to where he sends a weekly express.

I will write to him to-day to keep me posted with the Mexican news he can gather. He is in communication with Monterey, as we arrange our financial affairs with their merchants. We haul our lead from the mines to Laredo, to Corpus Christi, and by sea to New York.

On the 4th February, 1860, while I was in command of expedition against Cortina, I wrote to the Adjutant-General, S. Cooper, in Washington, saying the only way to prevent these raids was to cross the river, or, better, to occupy the other side. On the 24th February, 1860,

the Adjutant-General sent an order to Col. R. E. Lee, then commanding the department, if necessary, to pursue beyond the limits of the United States.

Before this order was issued I had taken the responsibility and crossed the river. Captain Stoneman's company pursued eighty miles into the interior.

I remain yours, truly,

S. P. HEINTZELMAN.

General E. O. C. ORD, U. S. A.,

Commanding Department of Texas, San Antonio, Texas.

[Extract.]

DOLORES MINE, MEXICO,

November 24, 1872.

MY DEAR GENERAL: I received your valued favor of October 25th on the 16th instant. * * *

To add to the difficulties, we now have the periodical Indian blockade between Laredo and Corpus Christi. I am only enabled to send this letter from the fact that some of the cart-owners are going to look after their carts in the above train, in consequence of the Indian news.

A letter from Laredo, dated 22d instant, says the train has not been heard of there at that time, and this has given rise to a report that it has been destroyed, which I do not believe, however. * * *

Whatever his recommendations may be, I have no hesitation in saying, after my now fifteen years' experience here, at a point only sixty miles from the river, that there will be no change in the state of affairs until the United States procures this portion of Mexico.

A very short statement, made on my personal knowledge of many cases occurring in the town of Vallecillo, which, as you know, is partly built on and over the works of this mine, and which you are at liberty to communicate to whom you please, will, I think, satisfy you that I am correct in my opinion.

Every one knows of the depredations, &c., on the other side of the river; but what is not known and would not be found out, even by a United States commission, is the fact that in the great majority of these cases the actual individual depredators are merely paid agents of wealthy employers, living anywhere from the river to as far in the interior as Zacatecas and San Luis.

I can name several men here in Vallecillo, who were formerly miners in my employ, who for years past have been professional cattle-thieves under regular contracts made with actual alcaldes and judges of the town. For instance, a certain person, the principal citizen of the place, for many years first alcalde and military commandante of the district, has repeatedly furnished the funds and equipped various parties to go to the other side, the agreement being that they were to receive certain pay, successful or not; that, being successful, then they were to receive so much per head of animals brought, the percentage being regulated by a sort of sliding scale—a large per cent. on a small number, and a lesser per cent. as the number increased. These transactions are and have been public; it has been the talk, for instance, that so and so are ready to go; have been offered so much by so and so; are holding off for higher prices; that it is worth more, &c., because such a man was caught and hung the other day.

Some secrets of these trips are never known in detail, as in a case, which I well remember, one of these men left here very poorly mounted, and in due time he returned here on a really fine horse, splendidly equipped in every respect, with a pair of silver and ivory mounted revolvers, &c. It was considered somewhat too much of a risk to keep such an outfit here, and the whole was hurried off to the interior, furnished with proper passport, &c., on sealed government paper, issued in legal form from the *alcalde's* office, with the two necessary official witnesses.

Of late years, the increase arising from this quasi-legalized robbery has been the only reason why the offices of *alcalde* and judges have been sought by rival parties. For some time after I came here, it was difficult to find any one willing to be elected to office, as the government does *not pay anything* in the way of salary to such officers, excepting in the large cities, Monterey, &c. It does allow them to make what they can, and in any way they can. Thus, some years ago, the authorities here, seeing so many droves of cattle *pass by*, concluded to turn it to good account, and levied a tax of 50 cents per head, at the same time giving regularly certified papers of importation, &c., on sealed paper, in exchange for the tax. These papers made the cattle and horses so covered *legal property* of the thieves, and no one could go behind the papers.

In a short time this was found to be too good a thing to be left to the insignificant town of Vallecillo, and an order came from the very head-fountain of power in this district, the *jefe politico*—Anglice, “political chief”—in Villadama, that cattle passing here were only to receive documents *good as far as Villadama*; there the process was repeated, and it is a well-known fact that it was made such a profitable business there that it actually caused a *pronunciamento* and an armed revolution, lasting, if I remember rightly, some weeks. I do not state what follows of my own knowledge, but I think the Monterey authorities finally stepped in and required the tax to be accounted for as a *revenue of the state*, the *alcalde* and judges collectively being allowed a commission of 6 per cent. on the amount collected.

I remember on one occasion going to the water-pond, just within the gate or the hacienda where the mine-water runs, to see an uncommonly large drove of very fine cattle, between 400 and 500 head. When I went out only the Mexican drivers were with the cattle, but in a short time two Americans came on a canter from Vallecillo, and, seeing me, came to where I stood and entered into conversation. In a short time I learned from them they had been for the documents, and had made it all right; leaving them and coming inside, my road lay close along the wall of the hacienda, and being hidden from them they supposed I was out of hearing. I heard the leader call the drivers together and tell them that he had paid for only about half the number, and that they must rush the drove through the town that it might not be found out, &c. Two days afterward a party of four or five Americans arrived here at sundown in pursuit. Notice was at once sent off to the drove that they might take the mountain-paths by Minas Vijas and other points. The *alcalde* would not give the documents to the pursuers, on some pretext, until late the next day, and the result was that in various ways the pursuers had to return as they came.

I have mentioned that the *alcalde* delayed the pursuers an entire day, as above. On the other hand, I remember one night, as late certainly as 11 o'clock, being much annoyed by what I supposed to be the Vallecillo cattle herding for the night directly behind my house. I sent

the watchman out to drive them away. He came back telling me that it was a drove of stolen cattle, the head-man had gone for the papers, and they would move on as soon as he came back, which they did shortly afterward.

Very frequently the ayuntamiento take their pay in beeves, and it has long been a standing order to my cook that when he has Texas beef, he is always to serve beefsteak and roast tenderloin alternately; on other occasions steak, roast, or stew, as he thinks the meat admits. * *

I am, truly, your friend,

A. LOWRY.

Maj. Gen. S. P. HEINTZELMAN, U. S. A.,
1123 *Fourteenth Street, Washington, D. C.*

DOLORES MINE, MEXICO,
November 23, 1873.

MY DEAR GENERAL:

* * * * *

Mexican affairs seem to have gone out of sight in the United States, as I have not seen any reference to them since the commission returned from the Rio Grande.

Affairs on the Rio Grande have gone on in the mean while in the usual way, if not in fact a little more so, as regards thieving. An incident happened here in this connection a short time ago, which, told by an irresponsible person, might seem to be an attempt at a very strong joke. The thief whom I referred to in a previous letter as having gone to Texas as a beggar and returning with five horses, equipments, revolvers, &c., has been met on such an expedition several times recently; on one of these occasions his companions returned and stated their belief that he had been captured and probably hung. There was great lamentation in Vallecillo; and as two or three weeks passed away without his returning, his relations had masses said and the church-bells tolled, as usual, for so devout a Christian. The very next day he returned, bringing with him four fine American horses, (two of them stallions,) and accompanied by two other strange thieves. *Again the church-bells were rung*, this time a huela or a joyous peal, as we would call it, and the alcalde gave a license (price 50 cents) for a night of debauch and riot in Vallecillo, the firing of rockets, guns, &c. The same men returned with some horses last week, and I believe go back again this week. This and the setting out of an expedition from Vallecillo of peons with carts and tools to build a large corral somewhere toward the Rio Grande, in which the stolen cattle brought by the Vallecillo "detachments" are to be herded until rested for driving into the interior, are the two notable events that have occurred since my last. The passing of stolen herds in large and small numbers is of no [so] frequent occurrence as not to excite any notice. I had Texas beef for dinner yesterday, and it was—as they say "stolen kisses"—are—very sweet. * * *

If the Rio Grande commission is printed, please send me a copy.

* * * * *

A. LOWRY.

Maj.-Gen. S. P. HEINTZELMAN, U. S. A.,
Washington City, D. C.

DOLORES MINE, MEXICO, *June 23, 1873.*

Major-General S. P. H.:

* * * * *

The late invasion by Colonel Mackenzie has *not* produced the least possible excitement in this neighborhood, and he might have occupied the whole country to the Gulf without finding any opposition. The last revolution has made every one *anxious* for a change, and I do not know of a single Mexican visitor to me, for a very long time past, that has not expressed himself in the most unreserved manner that they had only one hope—the occupation of the country by the United States.

The last revolution differed from all previous ones in the fact that the actual theater of operations was on this frontier, east of the mountains. Heretofore it has always been in the interior, and the expenses of both parties have been from the large cities and haciendas. On this last occasion every one that had anything to lose lost it, and since the ending of the war every one who expects to have anything in the future has emigrated to the other side. I have no doubt that at last [least] one half of the reputable class of Mexicans on this frontier have passed over the Rio Grande permanently; for I am told that in Mier, formerly a place of considerable business, nearly one-half of the decent houses are vacant or occupied by peons and laborers.

There is one dignitary in our army organization for whom every Mexican cherishes the most profound admiration; he is the only one that lives in their recollection; those that never saw him live only in the hope that the *blessed* time will come when they shall no longer be strangers. They may (the elder ones) have dined with generals and colonels, perhaps have even been punished by provost-marshals, but the first one forgotten and the last one forgiven, in their delicious recollections and reveries over that, to them, almost supernatural being, the quartermaster. Ah! the quartermaster! If he only, and unarmed he might be—if he only would come, then, indeed, would “the winter of their discontent” be changed. Give me the wording of the proclamation, with a *carte blanche* as to the figures I may put in, (I would not go as high as millions, for they are beyond the conception of these people)—send me one-half of General Meigs’s corps and a score or two of mustering officers, and, presto, in a month I will guarantee peaceable possession of the country and 20,000 Mexican bayonets.

This is not so much of a jest as you may suppose. From the highest to the lowest, all look to that advent as their only hope and salvation. A Don Mariano Santos, the principal man, I might say, of this frontier, the right-bower of whatever government existed at Monterey, the most noted, substantial, well-to-do citizen I have ever met with among these people, has been a visitor here frequently, (he is lately deceased,) and, though holding no office at any time, the government closed the offices in Monterey and elsewhere and issued an official bulletin on the occasion; and I am sure at least a dozen times he has told me of his delightful quartermaster experience. He dined twice with General Taylor and Captain Bliss, and also with two or three others; remembered quite a number of officers by name; but of this he spoke as of no special import. The quartermaster was his *pièce de resistance*, and he never failed to wind up with the injunction to me that if matters ever so shaped themselves as to admit of it, to give the quartermaster a letter to him. You may tell General Meigs that, in the event of a war with this country, only the quartermaster department need be increased. He should garrison every town, valley, and rancho with a quartermaster, nothing more.

As regards other affairs here, I do not hear or see that there is any

change. Drove of cattle going west pass as frequently as usual. A month or more ago I saw two Mexicans going through the hacienda, looking at the smithing machinery, &c. Both were genteel in appearance, and saluted me with the usual Mexican grace on passing them. Later I learned that one was the so well-known desperado, Cavallo Blanco, the other his adjutant. They were in Vallecillo two or three days hunting of recruits for the foray they have since made to the neighborhood of Corpus. Of course the authorities knew all about it, and equally of course no attempt was made to prevent it.

If anything should happen at headquarters touching affairs on this frontier, I hope you will let me know, and under such restrictions as you think proper. * * * * *

A. LOWRY.

DOLORES MINE, MEXICO, *April 26, 1874.*

Major General S. P. H.,

Washington, D. C.:

MY DEAR GENERAL: * * * * I have postponed writing to you from week to week because I expected to have something positive to communicate about a project which I supposed would have been successfully carried out before this.

In the early part of January last I was told that twelve of the Mexican frontier States were to separate from Mexico, taking the name of the Republic of the Sierra Madre. The person informing me had translated the documents into English for sending to Washington. The declaration of independence had already received the signatures of ten of the twelve governors, and the only reason for delay was to make sure that there would be no interference on the part of the United States against the secesh.

The communication being confidential to me, I have been expecting to hear daily of the public declaration, but it now appears that secrecy is no longer required, and my informant writes me that it is proposed, or rather intended, to canvass the matter publicly in the expectation that it will be so unanimously received that the general government will promptly accede to what it will be plain it cannot prevent. So stands the matter at present.

Meanwhile those two irrepressibles, Cortina and Canales, are going each other, as usual, a make-believe fight, to give a sort of excuse for each to replenish by "præstamus."

DOLORES MINE, MEXICO, *January 3, 1875.*

Major-General S. P. H., *Washington:*

MY DEAR GENERAL: * * * * In a previous letter I told you of the proposed secession of twelve of the Mexican States to form the new Republic of the Sierra Madre. As was to be expected, it has been found impossible to secure ——— among the large number who would be everything or nothing, and the matter has dragged along until now with but little vitality. Recently, however, it has started up again, and so prominently, that the federal government feels itself obliged to make a demonstration—a mere feint, however, on paper. Divisions and brigades amounting to six thousand or more men were ordered to the frontier; what came was one thousand or twelve hundred, and those

marched up the hill, &c., and what is left of them, seven hundred to eight hundred, have suddenly gone to the interior, as it is reported that the secession has commenced in San Luis and Zacatecas, as an official told me yesterday. The general agent of the affair you have with you in Washington, whither he went some time since to recover neutrality, if not aid, in the coming event; out of this has grown the renewed report about the cession, &c., probably.

Nothing is more certain, I think, than the consummation of the proposed secession if the personal interests can be recognized harmoniously. The federal government will undoubtedly be glad to get rid of the most of the territory, which yields it nothing but pronunciamientos and revolutions. It no doubt is powerless to interfere effectively, for whatever force might be sent would be sure to "turn over" on shaking a bag of dollars at them.

As I have fat Texas beef for dinner frequently, I have no doubt the free trade flourishes. As it has now become an established institution, it is no longer much talked of, and, unless of unusually large number, a passing drove provokes no remark. * * * *

If such a thing is possible, I would like to see the reports of the Mexican Joint Claim Commission; the one sitting in Washington I mean. Some of the claims from Sabinas were astounding. In one case I have heard from Mexicans two hundred dollars doubtful loss was put down somewhere near \$60,000. * * * *

A. LOWRY.

DOLORS MINE, MEXICO, *May 3, 1875.*

Major-General S. P. H., *Washington:*

MY DEAR GENERAL: * * * * We are not interfered with here by the robber bands, excepting in the indirect way that the laboring population are now all thieves. I am told that in Vallecillo there are almost always large numbers of these cattle-thieves, and for the last week or more they have been selling some of the plunder brought lately from the Corpus Christi raid. That was so successful and yielded such good returns that it will be repeated, and on a larger scale; so they say in Valecillo.

I never gave the least credit to the periodical statements of the papers about the negotiations with Mexico. I believe that a vast majority of the Mexicans would be glad if the United States would annex all of Mexico, but no "government" of this country dare propose such a thing, as it would be the pretext of a revolution by the clerical or some other faction.

The proposed independent republic seems to have fallen through for the present. The present governor of this State is hourly expected in Vallecillo on a visit of two days. * * * *

A. LOWRY.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, July 12, 1877.

These papers are respectfully forwarded as being important, and containing valuable information on the subject of depredations committed on the border of the lower Rio Grande by parties organized in Mexico, and whose depredations were known and connived at by officials.

E. O. C. ORD,
Brigadier-General Commanding Department.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, July 18, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
In the absence of the Lieutenant-General commanding:

R. C. DRUM,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, July 24, 1877.

Respectfully submitted to the Secretary of War, with copy for the
Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 26, 1877.

SIR: I have the honor to transmit for your information copies of extracts from letters of one Major A. Lowry, formerly an officer of the United States Army, but who at the time the letters were written was a director of the Dolores silver lead-mines at Vallecillo, Mexico. The extracts from this correspondence relate to the condition of affairs on the Mexican side of the Rio Grande, and were furnished General Ord by General S. P. Heintzelman, to whom the letters were addressed.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 21, 1877.

ADJUTANT-GENERAL,
Washington, D. C.:

The following is in reply to request through Mr. Villareal to be informed of disposition of Mexican forces to intercept raiders:

"Señor V. L. Villareal arrived to-day. He has informed me of the kindness with which he has been treated by you. In view of the information he has given me, and of the instructions that I have from General Trevino, I now issue orders to my troops on the river Salado, my second line, to march to cover those I now have engaged in watching Escobedo and Winker, (two of Lerdo's officials.) As soon as these troops reach me, I shall so disperse that those I have on this line, and more that I shall bring together of scout-soldiers, shall look out for the Indian part of the campaign. On effecting this, I shall communicate my movements to the head American officer of the line here and to you as principal," &c.

"Constitutional army, line of the north, Piedras Negras, July 19, 1877.

"General second in chief,

F. NARANJO."

The following, more explicit, just received:

"The stations of Trevino's cavalry, as given me by Schuchardt, who

says from reliable information, viz: One hundred at Camargo; one hundred and sixty at Laredo; one hundred and fifty at Valleta, three miles from Piedras Negras; one hundred at Juarey, and two hundred and ninety in small parties in the villages of the district of Monclova.

"SHAFTER."

ORD,
Brigadier-General.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 24, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 26, 1877.

SIR: I have the honor to transmit for your information copy of a dispatch from General Ord, communicating one from Colonel Shafter, giving information derived from Señor V. L. Villareal and General Naranjo as to the disposition of Mexican troops on the Rio Grapde frontier to intercept raiders.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

To the honorable the SECRETARY OF STATE.

[Telegram.]

SAN ANTONIO, July 22, 1877. (Received 9.25 p. m.)

To ADJUTANT-GENERAL,
Washington, D. C.:

The following just received from Colonel Price, dated Ringgold Barracks, July 21:

"Upon application of United States commissioner, in the absence of the marshal, I this morning arrested General M. Escobedo, Colonel Manchaco, Colonel Lever, Colonel Damla, Colonel Goulas, with ten or twelve other officers, who were reported as about to cross the river and violate the neutrality law of the United States. They were brought before the United States commissioner at 1 p. m. They waived examination and were released under bond to keep the peace. This was done by Price in accordance with my orders. I think the commissioner should be instructed to exact a bond, but would enforce the laws.

ORD,
Brigadier General.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, July 23, 1877.

Respectfully submitted to the Secretary of War, with copies for the Departments of State and Justice.

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 24, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from General Ord reporting arrest of the Mexican General Escobedo and others charged with contemplated violation of neutrality laws and their release on bonds.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

Similar letter addressed to the Attorney General.

FORT CLARK, TEXAS, *July 9, 1877.*

SIR: For the information of the district commander, I would respectfully say that about sunrise, on June 30, my command took an Indian trail that we had found about dark the day before. This trail was found about seventy miles above the mouth of the Pecos river. We were returning, at the time, from an expedition in the mountains up the Rio Grande, by way of Fort Davis and San Francisco River. We followed the trail June 30 about fifteen miles, nearly west, to the Rio Grande; arrived at the crossing made by the Indians about 10 a. m.; found the river very high; the Indians had crossed during the night. We went to work and built a raft of logs, tied with lariats, and about dark we were all camped on the trail on the Mexican shore; had two horses drowned in crossing. About sunrise, July 1, we continued on the trail nearly due west, and about 2 p. m. found a water-hole in the rocks of a large arroyo. At this place we went into camp and remained about two hours; distance from the crossing twenty miles. I found twenty of my horses so completely used up as to be unable to travel. About 4 p. m. continued on the trail nearly due west, with twenty-four scouts, seven of which were mounted on pack-mules; left thirteen scouts camped on a hill near the water-hole, hid from view, (with broken-down stock.) At dark we went into camp on the trail about six miles distance from the water-hole. Next morning, July 2, we were on the move before light, and at daylight took the trail; continued west for about two miles, and discovered the herd of horses grazing on the side of a hill in Sierra Pachona, about a mile distance. From this place we worked under cover of hills, brush, &c., up to within 500 or 600 yards of them, when we were discovered by the Indians through the braying of one of our Spanish mules. We lost no time in closing on them, and within one-half mile from their camp caused them all to jump from their horses and take to the rocks and brush in a rough sierra, (excepting one or two Indians who escaped with two horses.) We chased them for about an hour over rocks and through brush, and within the time wounded three, one of which must have received a mortal wound, as he was easily trailed by the blood on the rocks for about 300 yards. These Indians were pressed so close as to cause them to throw away their blankets, shirts, breech-clouts, and one shield, cartridge-belt, &c., of the one so badly wounded. We captured twenty-two horses, all American brands, all worn from night driving over rocks, &c. Recrossed the Rio Grande July 4, during the p. m., on a raft built as before. We could have gained nothing by following the Indian or Indians who escaped with the two horses, as my stock

was used up from a hard march of about one thousand miles. Total number of Indians in party, seven or eight.

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

JOHN S. BULLIS,

First Lieutenant Twenty-fourth Infantry, Commanding Scouts.

First Lient. HELENUS DODT,

Twenty-fourth Infantry, Acting Assistant Adjutant-General,

District of Nueces.

[First indorsement.]

HEADQUARTERS DISTRICT NUECES,

Fort Clark, Texas, July 9, 1877.

Respectfully forwarded to assistant adjutant-general, Department of Texas.

The trail struck by Lieutenant Bullis had been followed by Texas rangers from head of South Llano to within 15 miles of where it was found by Bullis. The stock retaken is that recently stolen in Gillespie County. He also found with this party of Indians parts of the harness recently taken by Indians from Venaceo Cañon at Johnson's ranch, where they severely wounded a citizen, (now in post hospital.) The horses I will give to the Seminoles, subject to claims of owners.

W. R. SHAFTER,

Lieutenant-Colonel Twenty-fourth Infantry, Commanding District.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Tex., July 12, 1877.

Respectfully forwarded through headquarters Military Division of the Missouri, for information of the General-in-Chief.

I beg to call attention to the perseverance and pluck exhibited by Lieutenant Bullis and his little command. This is only one of the several instances of the same sort shown by them.

E. O. C. ORD,

Brigadier-General U. S. A., Commanding.

[Third indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, July 17, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

In the absence of the Lieutenant-General commanding:

R. O. DRUM,

Assistant Adjutant-General.

[Fourth indorsement.]

ADJUTANT-GENERAL'S OFFICE.

Washington, July 21, 1877.

Respectfully submitted to the Secretary of War, with copy for Secretary of State.

THOMAS M. VINCENT,

Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, July 23, 1877.

SIR: I have the honor to transmit, for your information, copy of a report of Lieut. John L. Bullis, Twenty-fourth Infantry, of his scout after Indian horse-thieves into Mexico, and the recapture of 22 American horses from the Indians.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 25, 1877.

ASSISTANT ADJUTANT-GENERAL,
Headquarters of the Army, Washington, D. C.:

The following just received from Naranjo:

"I acknowledge your kindness in transmitting me the dispatch of General Ord announcing the capture of General Escobedo, and subsequent release under bonds, and in return I beg to inform General Ord that Pedro Valdez and principal officers and many of his men have presented themselves to me and have been duly pardoned.

"SHAFTER."

The arrest of Escobedo and the surrender of Valdez and his partisans will check attempts at organizing revolutionary bands on this side for some time. If Mexican Government would ignore all customs-paper issued in advance by revolutionists, and on which they borrow money of merchants on the river to start revolutions, it would go far to stop them entirely.

ORD,
Brigadier-General.

WAR DEPARTMENT,
Washington City, July 28, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram of date July 20, from General Ord, announcing the capture and release of Escobedo; also that Pedro Valdez and many of his men have presented themselves to Colonel Shafter, and have by him been duly pardoned. General Ord also expresses the opinion that if the Mexican Government would ignore all customs-paper issued in advance by revolutionists, and on which they borrow money of merchants on the river to start revolutions, it would go far to stop them entirely.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 2, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, with an accompaniment, in relation to Mexican affairs.

I am, sir, your obedient servant,

WM. M. EVARTS.

Hon. GEORGE W. McCRARY,
Secretary of War.

FORT DUNCAN, TEXAS, *July 24, 1877.*

(Through headquarters district of the Nueces.)

SIR: I have the honor to report the following for the information of the department commander:

At my first interview with General T. Naranjo, Mexican general of brigade, nothing of public interest was mentioned by either of us. During our second conversation held at my quarters on the 20th instant, I showed him the telegram of the department commander in regard to Indians from Mexico being in Texas at the time, and the subjects of Indian raids and border troubles were generally discussed. He pledged himself to put a stop to raids by Indians from Mexico as soon as Escobedo, Valdez, and other revolutionists could be disposed of. We did not touch upon the subject of our troops crossing the Rio Grande when in pursuit of marauders, but he remarked that Mexican troops could more successfully operate against the Indians of Mexico than could be done by troops from the United States. To this I assented, and told him that the cause of complaint against the Mexican authorities was, that they did not perform a duty so important, and at the same time, to them, so easy of accomplishment.

During a third conversation held at his quarters in Piedras Negras, on the 23d instant, he informed me that troops had been sent by him to watch the fords of the Rio Grande, from Piedras Negras to Laredo, and that scouts would be kept constantly patrolling between the detachments guarding the fords with the view of intercepting and capturing any Indians that might attempt to cross in either direction. He was emphatic in expressing a determination to put a stop to Indian raids into Texas from Mexico. He also stated that the principal leaders under Valdez had agreed to return and give in allegiance to the present government, on certain guarantees he had given them, and that several of them would do so that afternoon. So far as I am able to learn, but one man who is held as belonging to the Valdez party went over to Piedras Negras yesterday, but it is my present opinion that all Lerdist sympathizers, now on this side of the river, will soon abandon any intention, if they ever had any, of invading Mexico.

General Naranjo has now about one hundred and seventy regular troops at Piedras Negras, and about one hundred and fifty national guards, mounted and armed, and a few scouts.

The entire force from Monterey to El Paso amounts to only one thousand men, but the general says that a second line is being sent from the interior.

Very respectfully, your obedient servant,

G. W. SCHOFIELD,
Major Tenth Cavalry, Commanding Post.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, San Antonio, Tex.

[First indorsement.]

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, July 25, 1877.

Respectfully forwarded to headquarters Department of Texas. The disposition of troops said to be made will do very well toward intercepting Indians that may cross below Fort Duncan. While this is being done by Mexican authorities, it is well known that the Indians live to the west and north of Saragosa and Remalina, and that when returning from raids they nearly always cross above Duncan.

It is reported to me, on good authority, that very recently the Indians had a large camp near Romalina, and that they were in that town offering to trade mules for arms, and that they did buy ammunition. Also, that they have lately been in Saragosa.

If there was any desire to put a stop to Indian raids, it could very easily be done by arresting them when they come into the towns, or by going after them in their camp.

W. R. SHAFTER,
Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

PIEDRAS NEGRAS, *July 23, 1877.*

DEAR COLONEL: Your letter of the 20th instant, with inclosure, duly received, and in answering the latter I pass that part of it which refers to the number and distribution of General Treviño's troops, of which I have sent you a memorandum. So far no change has been made yet, and according to late information I received from people coming from the interior of this and the State of Nuevo Leon, no further troops are moving to this frontier. As to the ability and the disposition of General Treviño to aid effectively in suppressing raids and to capture and return stolen property which may be carried across the border, I would say that at least he will do his best as long as the order from the Secretary of War to General Ord is not revoked or modified, although in my opinion General Treviño has not more ability to aid in suppressing raids into the United States than the administration of President Lerdo at the time of profound peace had. I refer to when the Mexican Government was aroused to its duty relative to frontier protection by General Mackenzie crossing over to Mexico, first in pursuit of Indians, and soon after in pursuit of cattle-thieves. Soon after, the federal Government of Mexico sent 300 regular soldiers to this frontier, stationing them at Saragoza, about thirty-six miles off the Rio Grande. The Mexican troops have no commissary which provides them with provisions; they receive, or rather are promised to receive, 37½ cents per day as pay, of which amount they have to board themselves. For a few months these troops at Saragoza were paid regularly, then the money for their pay commenced to arrive not in time; in consequence, the soldiers for two or three days at the time were without anything to eat; they became more dissatisfied, as a Mexican soldier taken by force into service is already, and commenced deserting in numbers to the United States, where they found employment at good pay. The result was that they had to order these troops back to the interior before they had anything done toward the protection of the border. The Mexican soldier is a good soldier when properly taken care of, but as it is now, they are always dissatisfied; they are kept closely shut up in their quarters, and in my opinion are not the material for frontier service.

In regard to the suppressing of raids into Texas by Mexican thieves and their stealing from Mexico, it would be an easy matter, as there exists in each of the villages a few notorious depredators, not more than three in some of them. They are all well known and could be pointed out by everybody; most of them have been in conflict with the authorities, and their cases are pending yet in the courts, but they have served the cause of the revolution faithfully, and as the revolution succeeded in overthrowing the government, they never will be prosecuted any more, but on account of their service will have full absolution.

In view of the above referred to order of the War Department authorizing United States troops to cross over to Mexico in pursuit of Indians and marauding Mexicans, the Mexican Government may find the means and ways to aid in suppressing raids of Indians and Mexican thieves into the United States territory, but only when our government does not modify in the least the said order; if it does, all will end in promises never to be fulfilled, and to which experience has made us used to.

It is also my opinion that the civil authorities only will comply with their duties by punishing the thieves and return the stolen property to to our citizens when compelled by a military commander who has no acquaintances, relatives, or compadres in the district where his duty is to supervise the authorities to do their duty.

Yours, truly,

WM. SCHUCHARDT.

[First indorsement.]

FORT CLARK, *July 25.*

Respectfully forwarded to General Ord for his information.

Mr. Schuchardt requests that his name does not appear as furnishing information.

Respectfully,

W. R. SHAFTER,
Lieutenant-Colonel, &c.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 28, 1877.

Respectfully forwarded to the Adjutant-General of the Army, for the information of the Secretary of War.

E. O. C. ORD,
Brigadier-General, U. S. A., Commanding.

[Third indorsement.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, August 4, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 6, 1877.

SIR: I have the honor to transmit, for your information, copy of a communication of the 24th ultimo, from Maj. G. W. Schofield, Tenth Cavalry, reporting the result of his interviews with the Mexican Generals

Naranjo on the subject of the border troubles on the Rio Grande, with remarks by Colonel Shafter, and copy of a letter of William Schuchardt.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 10, 1877.

SIR: I have the honor to acknowledge the receipt of your letters of the 6th and 8th instant, in relation to Mexican affairs.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEO. W. McCRARY, *Secretary of War.*

FORT CLARK, TEXAS, *July 23, 1877.*

SIR: While at my post, Fort Duncan, yesterday, I learned the following, which is submitted for the information of the district commander. It is probable, however, that the same will be sent him by Mr. Schuchardt within a day or two.

The Indians attacked by Lieutenant Bullis in Mexico, and from whom he recaptured some stolen horses, were Lipans, accompanied by three Comanches. These Indians make no mention of having had any killed or wounded.

About the 14th instant there were some thirty families of Lipans, Mescaleros, and Gileños, at a point two leagues above Remolino. They had five mules, which they wanted to trade for carbines. There were seven Comanches with them. Names of Mescaleros, as far as known, are Sesos, Tejano, and Carcaje. There is also a camp of mixed tribes between Metaje and the Burro. The information is that the Indians above spoken of as trying to trade mules for carbines, left after buying a quantity of ammunition, and that they were going on a raid into Texas.

In another communication mention will be made of movements of Mexican troops, &c.

Very respectfully, your obedient servant,

G. W. SCHOFIELD,
Major Tenth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,
District of the Nueces, Fort Clark, Texas.

[Inclosure.]

Statement of John M. Leary.

On the 21st of June, 1877, I was working with two other men, George and Robert Johnson, in a pasture belonging to J. B. Johnson, ranch near Camp Wood, Edwards County, State of Texas. At about 2.30 p. m., both Johnsons having left me about five minutes, and while I was lying down on the ground alongside of a wagon, I found myself sud-

denly surrounded by about fifteen Indians. Taken by surprise, I sprang on my feet and grasped my revolver, firing at five or six Indians who were fronting me and on the point of charging upon me. I fired two shots in quick succession; the Indians fired several shots at me at the same moment without hitting me. I then looked behind me for a place to run to, but finding myself surrounded, I kept firing at them and they at me until I was shot through my right wrist. When the Indians observed that I was shot, and while I endeavored to fire with my left hand, they charged on me within about 10 feet. I cocked the hammer of my revolver against the wagon-bed, and by that means succeeded in full cocking the revolver. I again fired at them and they rushed back into the brush. This was the last shot I had in my revolver. At the same moment when I fired this, my last shot, a bullet struck the near horse. I stood on the left side of the wagon. The team, consisting of a horse and a mule, started to run; I tried to stop them; in doing so the wagon-pole struck me, nearly knocking me down. I sprang back to see whether the Indians were following me; I saw that when the team run off I had left the Indians about 20 to 30 yards behind, and they were following me, some on foot and some mounted, as fast as they could. The team made a big turn while running in the bushes, in such a way as to completely hide me a few moments from the view of the Indians. I took advantage of this by jumping into a dense live-oak thicket, and, throwing myself down on the ground, kept perfectly quiet. The Indians, following the team, passed right by me, some within four or five yards, without seeing me.

The Indians kept on behind the team until the horse which had been shot fell dead at a distance of about 250 yards from where they started to run. The Indians next cut the harness off the horse and mule, and putting a lariat on the mule led it off, taking the harness with them. The Indians then retraced their steps and passed me again. Just when the Indians came very near me George Johnson, who had been away when the Indians first came up, now came within sight, mounted. He fired one shot into the Indians; they then turned upon him and commenced firing. As soon as he saw that the Indians were showing fight he wheeled his horse around and rode off as fast as it could carry him, to the camp of the Texas Rangers, which is about two and a half miles distant from the spot where the above occurrence took place. The Indians stopped and were laughing, looking after him running off; they then appeared to have a council among themselves for a few minutes, and then started suddenly on a full run from me, taking an almost due westerly course. I waited for about five minutes, until I believed they were gone far enough for me to show myself with safety. I walked up to the house on the ranch, distance about a mile. In the mean time George Johnson had reached the rangers' camp, and in about an hour a detachment of rangers was on their trail.

When the Indians returned, and at the time George Johnson came up, I had a full view of the whole party, and I observed that they were all dressed and presented the appearance of Indians except one man, who was, I am sure, a Mexican, from his dress and other appearance. He had short, black, straight hair, and very light complexion compared with the other men. He was evidently about twenty to twenty-five years of age.

JOHN M. LEARY.

[Indorsements.]

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Tex., July 24, 1877.

Respectfully forwarded to assistant adjutant-general, Department of Texas. This report is also confirmed by one of the guides who returned from Remolino to-day.

W. R. SHAFTER,
Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 30, 1877.

Respectfully forwarded through headquarters Military Division of the Missouri, for the information of the Adjutant-General of the Army.

E. O. C. ORD,
Brigadier-General U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, August 3, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., August 8, 1877.

Respectfully submitted to the Secretary of War, with copies for the Departments of State and Interior.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 9, 1877.

SIR: I have the honor to transmit, for your information, copy of a communication from Major Schofield, reporting information he had received that Indians near Remolino had mules which they desired to trade for carbines; that they had purchased ammunition, and were going on a raid into Texas, &c.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF THE INTERIOR.

DEPARTMENT OF STATE,
Washington, August 16, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant, inclosing a copy of one from Major Schofield, reporting that Indians near Renolina had purchased ammunition and were going on a raid into Texas.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., August 8, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch from General Ord is respectfully forwarded:
"Schofield, commanding Fort Duncan, telegraphs that he struck a small camp of Mexican revolutionists shortly after sunrise, morning of 5th instant, and took what there was in it, namely, forty-four men and forty-three horses; found very few arms. They were regularly organized companies, under Valdez. Only two officers captured; others absent at Laredo and San Antonio. Deputy United States marshal was with me. I hold prisoners at post for him. Lieutenant Bullis surrounded a notorious thieving-ranch a few miles in Mexico on morning of 4th, where Shafter had notification that stock recently stolen was secreted. Got five American horses; two of them taken from Brucketsville a short time ago. No one hurt, nor a shot fired. He returned to this side yesterday at noon.

R. C. DRUM,
Assistant Adjutant-General.

RINGGOLD BARRACKS, TEXAS,
July 21, 1877.

LIEUTENANT: I have the honor to submit the following facts in relation to the arrest of General M. Escobedo and other officers, which took place to-day, telegrams concerning which I have just forwarded:

On Sunday, the 15th instant, a horse-race was the ostensible cause for the gathering of between three and four hundred mounted and armed Mexicans at a point midway between the post and the town of Rio Grande City, just outside the line of the reservation. General Escobedo and his officers were with them; they were all armed with rifles and pistols, and quite a number wore sabers; and as far as we could learn, they were strangers in this vicinity. I had previously telegraphed, on the 6th instant, giving my impressions and asking instructions, which I received in telegraphic orders of date of 10th instant.

Between 8 and 9 o'clock, on the night of the 10th instant, after the dispatch had passed down to Brownsville, General Escobedo left here, going toward Brownsville. I learned that he had passed around the town of Edinburg about 11 a. m. the following day, and went to Davila's ranch; is five miles below town. He returned here at 11.30 a. m. on the 13th instant. I had learned much of their operations during this interval, and at times imagined that Escobedo rather looked for or consented to some intervention by the United States authorities, in hope that it would give him strength and sympathy in his own country.

On the 20th, I learned from sources that I deemed reliable that the steamer Ackley would arrive the next day; that there were arms and munitions on board of her; that she was to go up to Camargo, and would land the arms at the mouth of the San Juan River, on the Mexican side, six miles above this post. I also learned that there were between fifty and one hundred horses concentrated at the Remolinos ranch, on this side of the river, opposite the San Juan. I believed that the movement would take place shortly after the arrival of the steamer, and had proof to substantiate it. Under these circumstances I deemed it my duty to act and take such measures as I could to preserve the neu-

trality laws. The organized force in camp above town I could take, in compliance with my orders. But nearly all the testimony I had was mostly derived from Mexicans, and all was directed toward Escobedo as the principal mover. Knowing such to be the case, complaint was lodged with the United States commissioner by accompanying affidavit, and in the absence of the United States marshal, I was requested to serve the writ. The accompanying papers show the legal portion of the transaction.

Captain Farnsworth, whose morning mounted drill had been conducted for the previous ten days north of the post, through and beyond the town, moved out at the usual hour for drill. He was joined by the United States commissioner the other side of town. The latter was familiar with and designated the parties named in the writ: Colonel Mancheco, Colonel Davilla, Colonel Cristo, Colonel Valavieincia, and Colonel Gaules. Fourteen officers were required to repair to the court-house. Order for Captain Farnsworth inclosed. Captain Fechet, with a sergeant and three men, was directed to go to the house of Mr. Kelsey, where Escobedo, Colonels Monroy and Lever, of his immediate staff, were stopping. He followed Captain Farnsworth in fifteen minutes, and the arrests were made simultaneously. The latter gave their parole to be present at the court-house when required.

The steamer Ackley arrived between 9 and 10 o'clock a. m. On that boat were eight cases of Remington breech-loading arms and ammunition. They were not on the manifest, shipped by, nor consigned to any one; no definite marks on the boxes, and no one wished to claim them.

I did not deem it necessary to take action in regard to the arms or horses, unless called upon by the United States commissioner or the marshal to do so.

The arms were, later in the day, taken to the store of Mr. Burnback. At 1 a. m. the witnesses had been summoned and the parties appeared in the commissioner's court. They had all been paroled on their honor to appear, and the troops returned to camp at 8 o'clock a. m. After hearing the complaint lodged against them read, they, through their attorney, Mr. Kelsey, waived an examination, and gave bonds to keep the peace and appear before the United States court in September, when they were released. Everything was conducted in a legal, dignified, and soldierly manner.

I trust the action here taken may meet with the approval of superior authorities. I feel a moral consciousness of having carefully considered it, and that it was right.

If the cause they represent has the support of any large portion of the Mexican nation, and there is any means and strength in the movement, the placing of these parties under a few thousand dollars' bonds for openly violating neutrality within a mile of a United States military post cannot certainly infuse their cause, and may save great hardships, unnecessary loss of life, and the shedding of blood.

Respectfully, your obedient servant,

WM. REDWOOD PRICE,
Major Eighth Cavalry, Commanding.

First Lieut. R. A. WILLIAMS,
Acting Assistant Adjutant-General, District Rio Grande.

THE UNITED STATES OF AMERICA,
Eastern District of Texas:

Before me, the undersigned authority, personally came Second Lieut. Q. O. M. Gillmore, Eighth United States Cavalry, who, being duly sworn, deposes and says that, to the best of his knowledge and belief, Manuel Escobedo, Colonel Munroy, Colonel Lever, Colonel Monchaca, Colonel Davilas, Colonel Cristo, Colonel Vilavencentia, and others whose names are unknown to affiant, all being citizens of Mexico, temporarily residing in the United States of America, are about to violate the neutrality laws of the United States of America by setting on foot in the territory of the United States a military expedition against the Republic of Mexico, with which the United States of America are at peace; and deponent further avers that said Manuel Escobedo, Colonels Munroy, Lever, Monchaca, Davilla, Cristo, Vilavencentia, and others have provided men, horses, and arms within the territory of the United States of America, with which they are about to break the peace and invade the Republic of Mexico, contrary to the form of the statutes in such cases made and provided, and against the peace and dignity of the United States.

Q. O. M. GILLMORE,
Second Lieutenant, Eighth Cavalry.

THE UNITED STATES OF AMERICA,
Eastern District of Texas:

The United States to the United States marshal eastern district, greeting:

You are hereby summoned to take the bodies of M. Escobedo, Colonel Munroy, Colonel Lever, Colonel Manchaca, Colonel Davila, Colonel Cristo, Colonel Valevecencia, and Colonel Gaulos, if to be found in your district, and them safely keep and so provide that you have them before the undersigned authority in Rio Grande City, Tex., instant, then and there to answer to the charge of violating the neutrality laws of the United States and preferred against them.

Herein fail not, but of this writ make due return as the law directs.

Given under my hand at office in Rio Grande City, Tex., this 20th day of July, A. D. 1877.

J. C. EIRET,
United States Commissioner, Eastern District Texas.

RINGGOLD BARRACKS, TEXAS,
July 21, 1877.

CAPTAIN: The commanding officer directs that you proceed at once with your company (mounted) to Garcia's ranch, and there arrest and disarm, by virtue of a civil writ served on the commanding officer yesterday, the 20th instant, any armed parties about to violate the neutrality laws of the United States.

In the performance of this duty you will be accompanied by Mr. J. C. Eiret, United States Commissioner, who will point out to you Colonel Munroy, Colonel Lever, Colonel Munchaca, Colonel Davilla, and others whose names have been mentioned in the above writ referred to. You will then detach a part of your command as a guard to conduct the parties arrested to the custom-house in Rio Grande City, Tex., and if

accompanied by the United States commissioner or his deputy you will proceed to the Ramolenas ranch, and there seize 50 horses, more or less, said to be collected there for the purpose of aiding the parties above mentioned in invading the soil of Mexico.

Very respectfully, your obedient servant,

Q. O. M. GILLMORE,

Second Lieutenant, Eighth Cavalry, Post-Adjutant.

Capt. J. H. FARNSWORTH,
Eighth Cavalry.

[First indorsement.]

HEADQUARTERS, DEPARTMENT OF TEXAS,
San Antonio, Tex., July 31, 1877.

Respectfully forwarded to the Adjutant-General of the Army, through Headquarters Military Division of the Missouri, for the information of the Secretary of War.

E. O. C. ORD,

Brigadier-General, U. S. A., Commanding.

[Second indorsement.]

HEADQUARTERS, MILITARY DIVISION OF THE MISSOURI,
Chicago August 6, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,

Lieutenant-General, Commanding.

[Third indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 10, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington, August 13, 1877.

SIR: I have the honor to transmit for your information copy of papers in relation to the arrest of General Escobedo and other Mexicans, who, it is assumed, were about to cross from Texas into Mexico and violate the neutrality laws of the United States.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 16, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 13th instant in relation to the arrest of General Escobedo

and other Mexicans, who, it was assumed, were about to cross from Texas into Mexico and violate the neutrality laws of the United States; and to express the gratification of the department at the judicious and effective manner in which General Ord has executed his instructions in maintaining the peace between the two countries.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCrARY,
Secretary of War.

TREASURY DEPARTMENT, *August 10, 1877.*

SIR: I have the honor to transmit herewith copy of a letter from the United States collector of customs at San Diego, Cal., dated the 26th ultimo, in which he details the condition of affairs at that place, with reference to trouble between the citizens of the United States and citizens of Mexico.

Very respectfully,

R. C. McCORMICK,
Acting Secretary.

Hon. GEORGE W. McCrARY,
Secretary of War.

CUSTOM-HOUSE, SAN DIEGO, CAL.,
Collector's Office, July 26, 1877.

SIR: Regarding the recent and present trouble between citizens and residents of this county and citizens and the government of Lower California, I deem it proper to state the facts, as far as ascertained, to you:

It appears that on the 17th instant two Mexicans, supposed to be from the northern part of this State, and on their way to Lower California, stole, at Milquatay, in this county, one or more horses. The theft occurred at the school-house about 11 o'clock in the forenoon. The thieves were pursued across the line by two Americans and one Mexican. The two former are reported as school-boys under eighteen years of age. The three followed the thieves until night, and camped on the trail. The next day they came up with the thieves, and recovered their horses. In doing this both the thieves were killed. When the party arrived at Tecarte Valley on their return they were arrested by one Downey, assisted by a posse of men, residents of Tecarte. Tecarte Valley lies just below the boundary-line, eight miles southeast of Campo. It appears that Charles Hensley, a resident of Campo, accompanied the party, pursuing the thieves as far as Tecarte, when he went to the Mexican justice or alcalde and obtained permission to continue the pursuit of the thieves in Lower California. After obtaining the permission it seems Hensley returned to Campo, and the other three continued the pursuit.

On the 18th word was brought to Campo that the two boys who had killed the thieves were wounded or in trouble, and needed help. Three or four well-armed men proceeded to Tecarte immediately, and on their arrival were arrested by Downey's men. Another party of four from Campo, arriving soon after, were compelled to surrender themselves as

prisoners. A third party of four or five were warned in time, and returned to Campo. Downey and his followers now had eleven residents of this county prisoners, ten Americans and one Mexican. On the 19th the prisoners were started for San Rafael, the chief town of Lower California, and the residence of the governor and judges of the province. The prisoners arrived at San Rafael on the 21st, and, although closely confined, it is reported have not suffered otherwise.

The examination of the prisoners by the authorities at San Rafael is reported to have begun on the 24th instant. All are charged with being "fillibusters."

The Catholic priest of the city, the deputy sheriff, and district attorney of this county are at San Rafael in the interest of the prisoners. I may add that the authorities at San Rafael have had the justice or alcalde of Tecarte, with three others, arrested and taken to the former place.

Should the authorities of Lower California proceed to extremities with the prisoners very serious trouble will ensue. But little trouble is apprehended except from the lawless mob.

The people of Lower California, the land-owners and natives, are as peaceable and law-abiding as those of this State. The troubles and crimes of that country came from the renegades and criminals that make it a refuge and hiding-place. A very bad class of Sonoranians are coming into Lower California, and stopping near the boundary-line; it would seem for the express purpose of plundering the citizens of this county.

Very respectfully,

W. W. BOWERS,
Collector.

Hon. SECRETARY OF THE TREASURY,
Washington, D. C.

WAR DEPARTMENT,
Washington City, August 22, 1877.

SIR: This department has been furnished by the Treasury Department with a copy of a communication, dated the 26th ultimo, from the United States collector of customs at San Diego, Cal., in reference to trouble at that place between Mexicans and citizens of the United States, and I have the honor to transmit herewith a copy of the same for your information.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 25, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 22d instant, in relation to the trouble at San Diego between Mexicans and citizens of the United States.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. MCCRARY,
Secretary of War.

[Telegram.]

FORT BROWN,
August 1, 1877. (Received 1.50.)ASSISTANT ADJUTANT-GENERAL,
San Antonio:

No foundation for reported arrest of Canales on Mexican gun-boat. Capital of Chihuahua reported in hands of Leodoists. Escobedo and party gone up the river in that direction.

SWEITZER.

[Telegram.]

FORT BROWN,
August 1, 1877.TO ASSISTANT ADJUTANT-GENERAL, *Department Texas:*

Escobedo and seventy men are reported *en route* for Laredo for the purpose of joining a party at that place and crossing into Mexico.

SWEITZER.

[Telegram.]

DUNCAN, August 2, 1877:

General ORD, *San Antonio:*

I should have telegraphed earlier to the cattle-stealing of the 29th, but new developments came up daily. I was waiting for final report. Will telegraph and send by mail to-morrow.

Bullis caught a noted thief; turned him over to the civil authorities. Evans goes up Rio Grande with scout.

SCHOFIELD.

[Telegram.]

FORT DUNCAN. TEXAS,
August 2, 1877.

TO General ORD:

Am satisfied that Naranjo is not acting in good faith. Will know certainly in a day or two. Cattle were stolen here last night. I sent small party to trail crossing Rio Grande, and he agreed to meet it with an officer and party of men. My party waited there one hour and forty minutes; no Mexicans, and they returned. Our party had owner of cattle, with marks and brands, along with it, and was on the trail. Owner, with another Mexican, has now gone from Piedras Negras with an officer of Naranjo's. When he returns I can judge if the general is acting in good faith.

Copy of this sent to Shafter.

SCHOFIELD, *Major.*

[Telegram.]

RINGGOLD, August 2, 1877.

TAYLOR, *Assistant Adjutant-General:*

Dispatch of this date received. Escobedo, with party of about eight, left Rio Grande City on night of thirtieth. At four a. m. of thirty-first

passed through town of Roma, fifteen miles up the river. He has now over seventy hours' start in the direction of Laredo. Have communicated with Colonel Sweitzer, and will move out with what force I can. Most of transportation occupied in transferring L and G companies.

PRICE.

CLARK, TEX., August 2, 1877.

(Received at San Antonio August 2, 1877, 4.35 p. m.)

To TAYLOR, *Assistant Adjutant General Department of Texas*:

Cattle and horses were stolen on the 29th ultimo at the mouth of Puito, and crossed into Mexico. Bullis with 100 men sent after them, with orders to furnish brands and send owners with any Mexican troops that might be at place of crossing. If none reported, to cross on trail and notify at once, so that I would support him. I had telegraphed Naranjo, soon as I learned of the theft, that my men would be ready to take the trail on the other side, if his men were not, on the 30th ultimo. He at once started a company of cavalry and asked that they be met by the owners, and he will follow the stolen cattle. I notified Bullis of this and he lay at the river all day waiting for the Mexican troops, sending over a few men meanwhile and satisfying himself that it was, as he reported to me, impossible to follow the trail on account of rain that fell the same day the cattle were crossed. Mexican cavalry stopped several miles below place where they were told the cattle had crossed, and Bullis did not see them at all. He did not follow, as he could not trail the cattle.

Bullis is now scouting along the river; will be back in a day or two.

Reports to date will be sent by to-morrow's mail. If any party of Valdez can be found they will be arrested, and I have asked Naranjo to give me any information he may have in reference to such parties on our side.

SHAFTER,

Lieutenant-Colonel, Commanding.

PIEDRAS NEGRAS, August 2, 1877.

(Received at San Antonio August 2, 1877, 8.40 p. m.)

To General ORD:

SIR: I have been informed with satisfaction of your telegram of to-day, and it is gratifying to me to return you my most sincere thanks for the efficient measures that you have been pleased to dictate in favor of Mexico about the attitude of Escobedo. At the same time Colonel Shafter has communicated to me through Colonel Schofield that he has dictated convenient measures that if any organized party of Winicar's is found it will be pursued and apprehended.

NARANJO.

PIEDRAS NEGRAS, August 2, 1877.

(Received at San Antonio August 2, 1877, 8.40 p. m.)

To General ORD:

I am informed with satisfaction of your message of to-day, and return you my thanks for your services in favor of Mexico. The criminals and the place to which Mr. Pascal has referred has been found, and in a few days they will be apprehended.

At this moment thieves are being pursued that stole cattle at Eagle Pass last night. The force is one Mexican officer and seven dragoons, and one American officer with same number of men. All this in perfect agreement with Colonel Schofield, and by mutual consent. You may rest assured that the Indians and thieves will be persecuted in the manner as understood by previous agreement.

I have received a communication from Laredo, Mexico, that General Escobedo will arrive at Laredo, Tex., with seventy men, with the intention to disturb the peace of Mexico.

NARANJO.

CLARK, August 3, 1877.

(Received at San Antonio, 2.46 p. m.)

To TAYLOR, *Assistant Adjutant-General,*
Department of Texas, San Antonio:

Following dispatch for information commanding general:

"DUNCAN, August 2, 1877.

"Colonel SHAFTER, *Clark:*

"Mexicans stole five head of cattle from butcher-corral, just out of town, and drove them across Rio Grande above Piedras Negras last night. I shall notify Naranjo and ask to secure their return at once. Have hardly troops enough to risk crossing so near Naranjo's forces.

"SCHOFIELD, *Major.*"

CLARK, August 2, 1877.

To SCHOFIELD, *Duncan:*

Orders are positive not to cross Rio Grande if Mexican force is ready to take the trail.

Orders also require full report of result in each case where we cease the pursuit at Rio Grande, and it is undertaken by Mexican forces. Give Naranjo the brand, and report result.

SHAFTER,
Lieutenant-Colonel.

DUNCAN, August 2, 1877.

Colonel SHAFTER:

Am satisfied that Naranjo is not acting in good faith. Will know certain in a day or two. Cattle were stolen here last night. I sent small party to trail crossing the Rio Grande, and he agreed to meet it with an officer and party of men. My party waited there one hour and forty minutes. No Mexicans came, and they returned. Our party had owner of cattle, with marks and brands, along with it, and was on the trail. Owner, with another Mexican, has now gone from Piedras Negras with an officer of Naranjo. When he returns, can judge if the general is acting in good faith.

SCHOFIELD, *Major.*

No further report has been received.

SHAFTER,
Lieutenant-Colonel, Commanding.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 4, 1877.

Respectfully forwarded to the Adjutant-General, for the information of the Secretary of War.

E. O. C. ORD,
Brigadier-General, U. S. A., Commanding.

[Second indorsement.]

ADJUTANT GENERAL'S OFFICE,
Washington, August 13, 1877.

Respectfully submitted to the Secretary of War, with copy for the State Department.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 13, 1877.

SIR: I have the honor to transmit, for your information, copies of telegrams relating to affairs on the Rio Grande frontier, from Lieutenant-Colonels Sweitzer and Shafter, Major Schofield, and the Mexican General Naranjo.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 18, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 13th instant, inclosing copies of telegrams in relation to affairs on the Rio Grande frontier.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

[Personal.]

SAN ANTONIO, TEX., *August 20, 1877.*

DEAR SIR: I inclose some notes from the frontier, showing the present status. Also, a note from Mr. Weber, our consul at Monterey, and a printed article signed X; these two latter give a clear description of Mexican character, so as to guide one in intercourse with them. In Colonel Shafter's first note, he refers to *the private understanding* which I had with General Treviño, and that, I telegraphed, was on the basis of my instructions. See the part referring to the crossing of regulars being all right, but authorizing Mexicans to "go for" volunteers. The

showing of Colonel Shafter as to the scant supply of officers with the Eighth Cavalry will give you an idea of the difficulties commanding officers in the field have to secure competent company officers.

I am, sir, respectfully, &c.,

E. O. C. ORD.

Hon. GEO. W. McCrARY,
Secretary of War.

Mr. Weber's letter will give his views as to the disposition and ability of the authorities to check raiding. In my opinion, unless, when the Diaz government is recognized, some provision is made for a joint occupancy, or expeditions of the United States troops into Mexico to punish raiders, the unusual offers now being made (on account, perhaps, of the desire for recognition) on the frontier to reach some of the raiders will cease.

I am, sir, yours, &c.,

E. O. C. ORD.

PIEDRAS NEGRAS, August 7, 1877.

DEAR COLONEL: Santos Garcia came in this morning from Zaragoza, and says that the news came there officially from Santa Rosa of a fight beyond the Sierra del Carmen between the Kickapoos and Lipaus, Mes-caleros, and other Indians. The Lipans frequently steal horses from the Kickapoos, and so they done last month again. The Kickapoos followed them twice, together with citizens from Santa Rosa, but returned without success. In the last days of July about 30 Kickapoos started on foot on the trail, and on a morning at daybreak (having driven off during the night all the Lipan horses) attacked the Lipan camp, killed, besides the squaws, 17 bucks, among them the Colorado, the Tejano, and Enrique. The Kickapoos brought the 17 scalps into Santa Rosa, with 125 horses they captured. The Lipans are now four leagues west of Zaragoza, at a place called by some Barancas Colorados, and Chimineas by others, it is said in a miserable situation, very poor, &c.

The regular cavalry stationed at Zaragoza number, with band, officers, and all, 118 men, and those here 109 in all. Naranjo's escort are 16 men. The horses of those at Zaragoza are in a pitiful condition.

Yours, very truly,

WM. SCHUCHARDT.

UNITED STATES CONSULATE AT MONTEREY, MEXICO,

August 8, 1877.

GENERAL: Respectfully referring to my last of July 15, I have the honor to acknowledge the receipt of your esteemed favor of the 17th of same; many thanks for its very interesting contents.

I most cheerfully comply with your request to give you such information as I might possess concerning the ability and disposition of the Mexican authorities to suppress the raids on the Rio Grande. It is my opinion that General Treviño will try, so far as it is in his power, to co-operate with you in carrying out your order. I only fear that his means will be so limited and the assistance of his subordinates so inefficient as to prevent him in effectively aiding you.

I consider it very hazardous for him to station near the border of the Rio Grande some of his regular troops, as it is to be feared that a large

portion of them will either desert into Texas or join some of the marauding parties.

The only force that General Treviño could place some little confidence in would be the *rancheros*, residing on the border of the Rio Grande, but the question arises again, will General Treviño always have the necessary means to regularly pay them, and will the *rancheros* display the necessary activity and energy in following up the marauders and *overtake* them?

I have my doubts on the subject. The most of the *rancheros*, I believe, have been deriving some kind of benefit from the raiding parties, or, perhaps, are related to them, and I cannot convince myself that they will be so eager in the performance of their duties as the emergency of the case may require.

I fear that they always will be very prompt in offering you their co-operation, but in the end will find all kinds of pretexts for not having been able to overtake the raiding parties, such as *Porgese se iansó la eabattada, á éaesa de la eséboesédad del terreno; y por heber entrado la noche;*” which means, because the horses gave out on account of the roughness of the ground, and because night came on. I make use of the foregoing Spanish phrase, because all the Mexican battle and Indian reports wind up in such language.

The present governor of the State of Nuevo-Leon, perhaps convinced of the necessity of the case, has lately changed his bitter language relative to your order, and I do not think that he will throw any serious obstacles toward its execution, but I doubt if he would aid effectively.

About the temper of the governor of the State of Coahuila, I have no personal knowledge. His State is outside of my consular district. I believe he will not seriously obstruct General Treviño's dispositions, but I also doubt his good-will in assisting.

Both belong to the Mexican “Know-Nothing” party, and consequently are not well disposed toward Americans.

The polite offers and promises of Mexican authorities, military as well as civil, I am of opinion are not to be considered fully reliable. Time only can tell the extent of their sincerity. The safest way to deal with them is to keep this characteristic in constant view. “Punic faith” is a practice not unknown to Mexicans.

If agreeable to you, general, I will try to advise you of any circumstance which I may consider of service to you; the mean time I have the honor to remain,

Very respectfully, your obedient servant,

JOHN WEBER,
United States Consul.

General E. O. C. ORD,

Commanding Department of Texas, San Antonio, Tex.

AUGUST 10, 1877.

DEAR GENERAL ORD: I inclose you a letter from Schuchardt, which will probably be of interest. The news of the killing of the Indians is confirmed by a very trusty American I had sent to Saragossa to keep a lookout for Indians, and also to watch movements of Mexican troops.

He saw three Indian men (one Comanche and two Lipans) and several women in Saragossa. They were all in mourning, (arms and legs cut,) indicating some recent disaster. If as many are killed as reported it nearly wipes out the Lipans.

H. Ex. 13—14

The man goes back to-night to keep them in view and to learn if other Indians now out in the mountains come in as expected.

Bullis goes up the river to-morrow to encamp between Devil's River and Pecos. He will have about one hundred and twenty-five men, and will be ready to follow any trail that may cross, or to go for the Indian camp if there is a prospect for getting there.

My Mexican guide, that came back day before yesterday, tells me that the Mexicans (citizens) have been told by the military that if troops of the line (regulars) cross over into Mexico, it is all right, as they are friends, but if "volunteers" cross, to go for them.

From this it would look as though the "force to force" business was weakening somewhat.

The condition of Sixth Cavalry horses is good generally; some few sore backs, but nothing very bad.

Stevenson, of Wells's company, will apply for sick-leave soon. The doctor says he has to go North to save his life. There will be no trouble about quarters as soon as I get the row of old officers' quarters fixed; am at work at it now.

Please present my regards to Mrs. Ord and your children.

Very truly, yours,

W. R. SHAFTER.

FORT CLARK, TEX., *August 18, 1877.*

DEAR GENERAL ORD: In this immediate vicinity things are just now very quiet. Bullis is up the Rio Grande a short distance, where he can make a dash at the Lipans if a chance occurs to get them in their camps.

The best guide we have is now over at Saragossa looking for the location of the camp. Bullis has one hundred and twenty-nine. At the post everything is going very well. I have every carpenter and stonemason in the command at work completing quarters for men, laundresses, and officers. The cavalry companies are in first-rate shape, except K, of the Eighth, which is in poor discipline. Stevenson, the first lieutenant, is not well, and can take but little interest in his company, and Guest is good for nothing any way.

To make two officers to a company, I have now four second lieutenants of infantry on duty with the cavalry—three with the Eighth and one (Seyburn) with the Tenth. The companies of the Eighth are in a bad fix for captains—only one for four companies, and no prospect of any more.

I have the six companies belonging to the post in one camp under Norvell, and the three temporary companies, and Kennedy's, in another, under Carpenter, who is a most excellent company commander, one of the best I have ever had.

Norvell is a very good company commander, but is not the man to have charge of six companies even in camp; in the field I should command them myself.

I would like to make one battalion of the Eighth by itself, but Wells is totally unfit to command it. I would like, for several reasons, to have Colonel Young. He is a strong, hearty officer, and apparently not afraid of work, and is senior to any company captain at the post. This would give me two captains to four companies. Caraher is not wanted for any duty he could perform, as there are plenty of infantry officers to do all post-work, while the officers for field-service are scarce among the cavalry. Stevenson, of K, consumptive, is not fit for field duty, and I do not expect he will be able to do any to amount to any.

thing; and Phelps, of A, (also going to die of consumption,) is a poor, sickly fellow, with every appearance of the consumption. There is still another reason why the change of Caraher's company for Young's will be for the best interests of the post.

To this time everything has gone smoothly and pleasantly. but Caraher is now very mad, and is bound to be as disagreeable and make as much trouble as he can, and you know how much an idle officer can do to foment trouble if he is so inclined.

I have plenty of wagons to make the move, and it can be done at once, both companies starting at the same time and exchanging transportation where they meet, and Young come up from San Antonio. I will then put the four companies of the Eighth together; two (Norvell's and Lebo's) of the Tenth together, and the four now under Carpenter as they are, making three commands, two of four companies each, and one of two.

I hope soon to get another chance to cross, and have no doubt it will soon occur, either by Indians or Mexicans. I believe the crossing below Duncan the other day, and stealing a few horses from a Mexican citizen by Indians, was a job against the adherents of Lerdo; at any rate, they were stealing from their own people.

I did the best I could, and without delay, in the matter of evidence to try and extradite the Lipans, and hope it will work.

Please present my regards to Mrs. Ord, your daughters, and nieces.

Very respectfully,

W. R. SHAFTER.

THE MEXICAN CHARACTER AND ITS IMPROVEMENT.

SAN ANTONIO, August 17, 1877.

Editors San Antonio Express:

At such times as the present, when the attention of a people is invited to the possibility of war, it is of interest to know the character of the nation in antagonistic array. However intimate may be the intercourse of any one with the native Mexican, beyond the confines of his own territory there is but poor opportunity offered to judge from his example and manifest characteristics of the character of his race, taken nationally. It is admitted by linguists and students of human nature that the Spanish language, and the common etiquette and manners of the Spanish race and its descendants, are most pleasant and graceful. Not even excepting the French, the Spanish is regarded for its beauty of expression and accent the most charming to the ear of all modern languages. Of course the Mexican traveler carries his tongue and manners with him, but these afford no insight into the true character and life of the man. And it may also be mentioned that it is rare to find a Mexican not gifted with a general gracefulness of movement and expression. Find him in his ignorance, and no matter how abject poverty, still there is more or less of natural grace about him. He seems to inherit politeness, and the social circle of the meanest *jacal* could often be made to serve as a school of good manners for the American. Half-naked youngsters, women with breasts bare and unkempt locks, seated upon the earth floor, surrounded by dogs, cats, pigs, and other domestic animals, may present a scene disgusting to the American eye, but there is a feeling of love that exists between the members of the family, all live in harmony, and although exceedingly poor, in apparent comfort

and evident satisfaction, for it requires but little of the "root of all evil" to bring satisfied life to the hearth-stone of the Mexican domicile.

In Mexico retail trading, even among the wealthy classes, is carried on in a hand-to-mouth way. The *real*, or bit, sounds larger in Mexico than does the silver dollar in America. The bit is divided into a *medio*, or half, and this into a *quartilla*, or quarter of a bit, which serves him almost as great a support as does the quarter of a dollar the citizen of the United States. It is not unusual to observe the Mexican pater-familias at the groceryman's counter calling for a *quartilla's* worth of beans, corn, sugar, and salt. And this purchase of food is intended to serve himself, wife, and generally three or four children for the day, or probably longer.

The Mexican laborer in Mexico makes but little money, dresses very cheaply, eats little and very common food, and knows nothing of the comforts, much less of the luxuries of life. The furniture of his house is meager, and of the roughest and most inexpensive kind, and the writer was informed by a furniture-dealer on the Texas border, not long since, that only recently have the Mexican people across the Rio Grande begun to appreciate the convenience and comfort of imported furniture and farm-implements.

Mexico is a cheap country to live in. The rich are liberal with those of their own class, whom they will favor, coveting friendly feeling, but the poor are virtually under the bondage of those more favored with the goods of the world. Through this oppression, it may be termed, of the poor by the rich, a system of peonage or serfdom, prevalent from time immemorial with this people, has been maintained. And this poverty among the working classes, begotten by their ignorance and dependence upon the rich, has excluded the advance of knowledge. Hence but slow, if any, progress has attended the Mexican people.

The rich surround themselves with the comforts of life, according to their own peculiar ideas of comfort. To dress well and bedeck themselves with gold and ornamental trappings, to smoke a *cigarito* every ten minutes, to eat plain food, served in all manner of seasonings, to sleep half the day and carouse three-fourths of the night, are a few attributes to the Mexican idea of elegant living. True, there are those of more sober disposition, whose lives are more in accord with civilized life as passed by the most enlightened nations, but the majority of wealthy Mexican residents of cities are those who live for to-day, letting to-morrow take care of itself.

But this outward display of Mexican characteristics is poorly sustained when Mexican character is put to an actual test of strength. There is no firmness, no solidity about it. And this peculiarity of character is very difficult to be understood by a people such as ours. We are made slow to get angry with Mexico simply by her good promises, and are rather induced to sympathize and pity than to despise and hate her. She is weak, yet proud; free to express her good will toward us, yet foolishly unfaithful in her conduct. A more inconsistent people never was. She feigns to be a republic, yet has but two classes, the rich and the poor—the lordly *don* and the itinerant *peon*. She is a failure as a republic. She craves to follow progressive example, but knows not how. She craves to do right, but knows not how. She craves local peace, but invites revolution. She craves American friendship, but makes us her enemies. Nothing but a complete revolution of society, morals, and habits can bring about in Mexico a reformation, national, social, and commercial, that will inure to the peace and progress of the country.

Such habits must necessarily affect the *morale* and political character of the people. The thoughtless, irresponsible, worldly habits of the rich influence the mind, and these characteristics are so prevalent, their bad influence invades the Congress of the government and its courts of justice, and so their administration of the nation's laws is with as great a carelessness as the daily character of the Mexican's living. Such habits lead to gaming and bull-fighting, cock-fighting, and all the grosser amusements.

Yet, as before stated, the Mexican is polite and affable. He is the best of diplomats, for he can talk you into anything; and even the Mexican general, take him on an average, would serve better as a patent-medicine vendor than as the director of an army. The Mexican people live upon the principle that "life is all a fleeting show for man's illusion given," not having been yet made to feel the responsibility of their acts to themselves, their Creator, and to common law. The recklessness of Mexico as a nation involves her in trouble, and her criminal negligence finds her to-day meriting and about to receive punishment from America for her refusal to take care of her own bad citizens, and she has not refused to do so in words, but on the contrary has made numerous pledges and promises. But unlike the Mexican people, we Americans cannot live on promises alone. We are a working people, the wonderful progress of whose country is based on the spirit of doing, and a promise to us unfilled is worse than no promise at all. It is hardly probable that the Mexicans will so change their past lives and their spirit as to insure safety to the Texas frontier through their own efforts very soon, at least soon enough to avert the brewing wrath of America.

Considering the character of this people, then, and their past history, unimproved in the least up to the present, it would undoubtedly be a God-send to both countries for the American nation to place a protectorate over the five northern States of Mexico. This would give immunity to our own territory, and the spirit of American progress would be infused into our stagnated sister republic. The sooner the better; but the matter will hardly receive proper attention outside of the halls of Congress.

X.

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, August 11, 1877.

SIR: I have the honor to submit for the information of the department commander the following telegrams and orders, which will show the action taken by me upon his dispatch of the 2d instant, notifying me that parties under the leadership of Valdez were about to violate the neutrality laws of the United States by an armed invasion of Mexico from the United States.

CLARK, August 2, 1877.

TO SCHOFIELD, Duncan:

It is again reported that Valdez has a party ready to cross into Mexico. If you can find out anything about his having an organization or camp on this side, report the fact to me, and steps to secure their arrest will be taken. Send copy of this to General Naranjo, and ask him to give early information that he may get of contemplated violation of Mexican territory by revolutionary bands on this side, and I will at once cause their arrest, if satisfactory proof of their intentions can be fur-

nished; or, if they are Mexicans, and in any such force as to warrant the belief that they are together for unlawful purposes, I will place them under restraint.

W. R. SHAFTER,
Lieutenant-Colonel, Commanding.

DUNCAN, August 3, 1877.

To Colonel SHAFTER:

There is a small organized camp. I have a man who will guide us to it. They are about three hundred strong, but would not, I think, resist United States troops. Nearly two hundred are said to be Americans. Lieutenant Hall, State rangers, has arrested four or five of them in Eagle Pass to-day.

SCHOFIELD, *Major.*

CLARK, August 3, 1877.

To SCHOFIELD, *Duncan:*

K, Tenth Cavalry, forty men of B, and K, Eighth Cavalry, will start to-night and be at Duncan to-morrow by noon, as you want them to assist you. If you can manage the parties referred to by you with what men you have, say so, and will stop my men as they come through the post. Upon satisfactory proof that this party is intending to violate neutrality laws, ask commissioner to issue warrant, and arrest and disarm them.

W. R. SHAFTER,
Lieutenant-Colonel, Commanding.

DUNCAN, August 5, 1877.

To DODT, *Acting Assistant Adjutant-General:*

I struck two small camps of Mexican revolutionists shortly after sunrise this morning, and took what there was in them, namely, forty-four men and forty-three horses. Found very few arms. They were regularly organized companies under Valdez. Only two officers captured; others absent at Laredo and San Antonio. Deputy United States marshal was with me. I hold prisoners at post for him.

SCHOFIELD, *Major.*

I have further to state that as there was at that time no United States commissioner or deputy United States marshal at Eagle Pass, I had complaint made before the commissioner here, and a warrant put in hands of deputy marshal, who proceeded to Duncan and went out with Colonel Schofield and made the arrest.

The prisoners are now held by me in accordance with the request of the marshal.

There is no reasonable doubt of their intention, but there may be some trouble in proving it to the satisfaction of the United States civil authorities, as an invasion of Mexico is not considered a very serious offense on this frontier; and as the parties are nearly all Americans the proof will have to be very strong to hold them.

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

W. R. SHAFTER,
Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,
Department of Texas, San Antonio, Tex.

[Indorsements.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 14, 1877.

Respectfully forwarded to the assistant adjutant-general Military Division of the Missouri for the information of the proper authorities.

E. O. C. ORD,
Brigadier-General U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, August 20, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, August 24, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 25, 1877.

SIR: I have the honor to transmit for your information copies of telegrams from Major Schofield and Colonel Shafter, in relation to the violation by Colonel Valdez of the neutrality laws of the United States by an armed invasion of Mexico from this side.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 29, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 25th instant, inclosing copies of telegrams from Major Schofield and Colonel Shafter, in relation to the violation by Colonel Valdez of the neutrality laws of the United States by an armed invasion of Mexico from its territory.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

GEORGE W. McCRARY,
Secretary of War.

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, August 3, 1877.

SIR: I have the honor to report that, at 8 a. m. on the morning July 29, I was informed by citizens from the mouth of the Pinto, twenty-five miles southwest from this post, that on the previous night thirty fat

oxen, eight horses, and a mule had been stolen from them, and driven across the Rio Grande early the morning of the 28th.

As General Naranjo, commanding Mexican forces on this frontier, had the day before in an interview expressed his earnest desire and intention to vigorously pursue and punish cattle-thieves, and as he was as near the place of crossing as I was, I telegraphed as follows :

“ CLARK, July 29, 1877.

“ To SCHOFIELD, *Duncan* :

“ Please notify Naranjo that either Indians or Mexicans crossed horses and about thirty head of cattle into Mexico a few miles above New Town, on the morning of the 28th. My scouts have followed the trail to Rio Grande. Troops will be ready to show his forces the trail to-night. Furnish them the brand and send owners along, or if he cannot pursue them I will follow them myself.

“ Acknowledge receipt and Naranjo's action.

“ W. R. SHAFTER,

“Lieutenant-Colonel Twenty-fourth Infantry.”

Receiving from Colonel Schofield notice that a cavalry company was to start at once to take the trail on the Mexican side of the river, and that Naranjo asked that the owners go along, with their brands, and identify their stock, I at once notified Bullis, who, with one hundred men, was at the Rio Grande, of this, and told him to urge the people to go, so that the sincerity of the Mexicans in this matter could be estimated.

Bullis remained at the point of crossing three miles above New Town all day the 30th and until 9 a. m. the 31st, without any Mexican troops putting in an appearance. He had, during this time, sent some of his men across the river to look for the trail, but found that the very heavy rain on the night of the 29th had completely obliterated it; for that reason he did not cross as he had been directed to do in case of failure of Mexicans to take the trail.

On the night of the 31st I received inclosed letter of General Naranjo, dated Piedras Negras, July 29; from which I learned what Schofield had failed to tell me in his dispatch, that Naranjo's men would wait at New Town my officer and the owners of the stolen cattle with brands, &c.

I at once sent word to Bullis to hasten opposite New Town and send the men over. This was done, four of the owners crossing to the town on the 1st instant.

They found the Mexican troops gone, but applied to the alcalde for assistance, who refused to allow them to look in the range for their stock, and told them they were not safe in remaining, and that they had better get back to the United States, which they did.

Their statement in reference to this, as taken by Lieutenant Jones, is inclosed, marked “A,” also letters of Naranjo, marked respectively “B” and “C,” and note from Lieutenant Bullis of July 30, and my reply to General Naranjo's letter of July 31, marked “D.”

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

W. R. SHAFTER,

Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

ASSISTANT ADJUTANT-GENERAL,

Department of Texas, San Antonio, Tex.

CAMP SCOUTING EXPEDITION ON RIO GRANDE,
Near Fritter's Ranch, Texas, July 30, 1877.

Lieutenant DODT: Arrived at the crossing where the stolen stock was crossed at sunrise this morning. No Mexican troops as yet arrived; it is now sunset; a heavy rain fell here night before last and entirely obliterated the trail; it cannot be followed, I am sorry to say. Have had the owners of the stolen stock here all day; they tell me Ariola is the thief, and they think he has it at his ranch on the San Diego River, eight miles distant. Have observed several Mexicans on the hills on the Mexican shore during the day. They appeared to be watching our movements. As I cannot follow the trail, I will move down the river in the morning as directed.

Respectfully,

J. L. BULLIS,
First Lieutenant Twenty-fourth Infantry, Commanding.

FORT CLARK, TEXAS,
August 3, 1877.

SIR: I have the honor to report that, having gone to the mouth of Piedras Pintas Creek in compliance with verbal instructions from the district commander to gain information in regard to the stock lately crossed from this to the Mexican side of the Rio Grande by thieves, I learned, among other things, that on August 1, 1877, four citizens from this side, who had lately lost stock, crossed the river and went to the alcalde at New Town and asked permission of him to go on the range in the vicinity of New Town for the purpose of looking for their stolen stock. The alcalde replied that he did not have orders to let them hunt for their stock; that they had better get back to the other side of the river, and had better keep together going back, as Ariola was out; the Ariola referred to being a Mexican living in New Town. The four citizens who made this application to the alcalde were Allen Dimry, Albert Dimry, Hayden Beel, and Moses Morris. Two of these citizens, Allen Dimry and Hayden Beel, I saw myself, and they both made the above statement to me. Albert Dimry made the same statement to Lieutenant Bullis. Moses Morris I did not see, as he was away from here.

I am, sir, very respectfully your obedient servant,

T. W. JONES,
Second Lieutenant Tenth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,
District of the Nueces.

CONSTITUTIONAL ARMY,
 LINE OF THE NORTH, GENERAL SECOND IN CHIEF,
Piedras Negras, July 29, 1877.

SIR: I am in possession of the contents of the telegram directed to you by Colonel Shafter, and, in answer, inform you that there starts immediately a company for the locality, under the orders of Captain Martinez. Therefore, you can send to the Resurrection the person who will show them the trail, (or track,) and the owners of the animals stolen, with the irons and marks of whom, if only two or three, if they

wish it, they can accompany our soldiers, who have orders to pursue to the utmost practicable.

Wherever a similar case occurs, and Colonel Shafter pleases to communicate it to me, I shall be ready to operate speedily with best will, and ever in accordance with all that may tend to the security of this frontier.

I return herewith the telegram.

I am, with much consideration, respectfully, yours,

F. NARANJO.

Maj. G. W. SCHOFIELD,
Fort Duncan, Texas.

CONSTITUTIONAL ARMY,
LINE OF THE NORTH, GENERAL SECOND IN CHIEF,
Piedras Negras, July 31, 1877.

SIR: Captain Martinez, under yesterday's date, informed me that he arrived at the town Jimenez at daybreak, and that he did not find there the person who was to point out to him the trail, nor the owners of the stolen animals, according to my offer to Colonel Shafter; as also that he could not discover that any Indians or other people had passed that way. On account of this I have sent at once a party to explore as far as the arroyo called "las Vacas," and the "presidio of San Vicente," to see if they can succeed in finding, about those narrow places, any stock or sign; the which I communicate to you, that you may please inform Col. Shafter, and to say on my part that the result shows that he has been imperfectly informed, or that there has been a failure on the part of the individuals that were sent to point out the trail.

F. NARANJO.

Maj. G. W. SCHOFIELD,
Fort Duncan, Texas.

[Telegram.]

CLARK, August 2, 1877.

TO SCHOFIELD,
Fort Duncan, Texas:

Notify General Naranjo that Lieutenant Bullis, with one hundred men, was on the river-bank, three miles above New Town, at the place where the stock was crossed, from sunrise the 30th till 9 a. m. the 31st, waiting to with owners and brands of stock, and that Lieutenant Bullis reports that no Mexican forces were seen.

Dispatch of the 29th distinctly stated that the trail crossed the Rio Grande a few miles above New Town, and that this was where our men would be found, and not at New Town; also say to General N. that the district commander was not misinformed as to cattle and horses being stolen and crossed into Mexico as stated.

HELENUS DODT,
Acting Assistant Adjutant-General.

[Indorsements.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., August 7, 1877.

A true copy respectfully forwarded to the assistant adjutant-general Military Division of the Missouri, for the information of the Lieutenant General commanding.

E. O. C. ORD,
Brigadier-General, Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, August 15, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
P. H. SHERIDAN,
Lieutenant-General, Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington August 21, 1877.

Respectfully submitted to the Secretary of War, with copy for the
Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington, August 23, 1877.

SIR: I have the honor to transmit, for your information, copy of correspondence forwarded by Colonel Shafter, commanding Fort Clark, Texas, relative to oxen, horses, and mules said to be stolen either by Mexicans or Indians and crossed into Mexico.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 27, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 23d instant, inclosing a copy of correspondence forwarded by Colonel Shafter, commanding Fort Clark, Texas, relative to oxen and horses said to be stolen either by Mexicans or Indians and crossed into Mexico.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

EL PASO, TEX., *July 21, 1877.*

SIR: In compliance with paragraph 1, Special Orders No. 52, Headquarters District New Mexico, July 12, 1877, I have the honor to report my arrival here on the morning of the 18th instant. Since then I have endeavored to learn, from reliable sources, the exact state of affairs, as directed in letter of instructions accompanying the above-mentioned order, with the following result:

Some six weeks ago, Colonel Macheno, with party of followers, were driven to this side of the Rio Grande, from El Paso, Mexico, by the citizens favorable to Diaz's administration; that Macheno endeavored to reorganize his forces on this side for the purpose of retaking El Paso; that he failed to secure a sufficient force, and left for San Antonio, Tex. A portion of his force have been seen living at Ysleta, Tex.,

twelve miles distant from this place. This morning the sheriff of this county informed me that "Colonel Macheno, with a party of Texans, was expected to arrive at Ysleta on the 23d instant, there to be joined by a force of Macheno, and another attempt made to retake El Paso."

In an interview with the jefe politico of El Paso yesterday, he informed me that a party was organizing at Ysleta. This may be true. If so, their meetings are held so secretly that the fact is not known. The United States collector here has had his inspectors on the lookout for this party, and they have been unable to see any such organization, or that any has been contemplated since the departure of Macheno, who seems to be the leading spirit of the Lerdo party on this frontier.

The authorities on the Mexican side are very much excited, having guards stationed along the river-bank for over forty miles, anticipating an invasion from American soil.

I have been unable to learn of any contemplated arrests of refugees on this side by parties from Mexico; in fact, all fears of Mexicans from the other side of the river seem to have subsided, although there is yet a general feeling of insecurity prevailing here on account of the absence of troops and inability of the civil authorities to enforce the laws when necessary.

Respectfully submitted.

L. H. RUCKER,

First Lieutenant, Regimental Quartermaster Ninth Cavalry.

ASSISTANT ADJUTANT-GENERAL,

District New Mexico, Santa Fé, N. Mex.

FRANKLIN, TEX., July 24, 1877.

SIR: I have the honor to report that, since my communication of the 21st instant, nothing has transpired relative to the organization of armed parties on this side of the Rio Grande, for the invasion of Mexico. Rumors are current to the effect that Colonel Macheno is *en route* from San Antonio to Ysleta, Tex., with a party; also that a force is organizing at Los Cruice, N. Mex., for the purpose of invading Mexico. I cannot trace these rumors to any reliable source, the explanation given for them being the simple fact that several of Macheno's men have been seen at the place above named, and it is supposed that they are endeavoring to raise sufficient force to retake El Paso.

The citizens of El Paso are preparing for defense—have barricaded the streets, and taken other necessary precautions to prevent the capture of their city.

Very respectfully, your obedient servant,

L. H. RUCKER,

First Lieutenant, Regimental Quartermaster Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,

District New Mexico.

[Indorsement.]

HEADQUARTERS DISTRICT OF NEW MEXICO,
ACTING ASSISTANT ADJUTANT GENERAL'S OFFICE,
Santa Fé, N. Mex., July 31, 1877.

Respectfully forwarded to the assistant adjutant-general Department of the Missouri.

It is evident from the report of Lieutenant Rucker that the garrison

of El Paso should have been retained. El Paso not being in the district of New Mexico, I request instructions, should it be found necessary to send troops there. Also, authority to secure the buildings for quartering troops recently used by the garrison belonging to the Department of Texas, should the department commander decide to send troops to El Paso.

EDWARD HATCH,
Colonel Ninth Cavalry, Commanding.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., August 9, 1877.

Respectfully forwarded to the Adjutant-General of the Army, through office of the assistant adjutant-general headquarters Military Division of the Missouri, for the information of higher authority, with copy of telegram dated August 7, 1877, addressed to the commanding officer district of New Mexico, inclosed.

JNO. POPE,
Brevet Major-General, U. S. A., Commanding.

[Telegram.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., August 7, 1877.

COMMANDING OFFICER,
District of New Mexico, Santa Fé, N. Mex.:

It is not considered that the report of Lieutenant Rucker indicates the necessity of sending troops to El Paso, Tex. Should it become necessary, you are authorized to send a company to occupy any public quarters there or encamp.

Lieutenant Rucker must be directed to attempt to prevent any party from invading Mexico from our territory. He must warn any one leading such party that he will be seized by our troops and turned over to civil authority. He must report at once in case such attempt be made. Acknowledge receipt.

By command of Brigadier-General Pope.

E. R. PLATT,
Assistant Adjutant General.

[Telegram.]

SANTA FÉ, N. MEX., *August 8, 1877.*

ASSISTANT ADJUTANT-GENERAL,
Fort Leavenworth, Kans.:

Reports of Lieutenant Rucker mailed to you yesterday indicate no trouble; since then a party of robbers seized a United States wagon between Selden and Bayard; fled to El Paso, Mexico. The wagon, stores, and six mules are recovered. Lieutenant Rucker, with the proper requisition, demands the robbers to morrow. If they are given up, shall be obliged to send a guard for them.

Telegram of this date received.

HATCH,
Colonel, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, August 13, 1877.

Respectfully forwarded to the Adjutant-General of the Army.
P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Third indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 20, 1877.

Respectfully submitted to the Secretary of War, with copy for the
Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT, August 21, 1877.

SIR: I have the honor to transmit a copy of reports of Lieutenant Rucker, Ninth Cavalry, of affairs at El Paso, Texas, who thinks the garrison should have been retained there; forwarded by Colonel Hatch, with remarks. Also copy of instructions in the case from General Pope, commanding the Department of the Missouri.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 25, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 21st instant in relation to the state of affairs at El Paso, Texas.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. MCCRARY, *Secretary of War.*

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., August 28, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch, just received from General Ord, is respectfully forwarded.

P. H. SHERIDAN,
Lieutenant-General.

"SAN ANTONIO, August 27.

"The following received from Fort Brown: Saw Generals Benavides and Canales; they assure me everything is being done by them to arrest

the remaining raiders and prisoners. Of the four now arrested two come under the extradition treaty and are ready to be delivered, one raider and one prisoner. They know the whereabouts of the rest, except the two Texans and the unknown. Owing to the great animosity existing between the Texan and Mexican border citizens it is difficult to inspire them with zeal in the apprehension. General Benavides has dismissed two captains of local troops for want of zeal. Any unlawful interference of our citizens only impedes the efforts of the authorities. Judge Russell, United States extradition agent, is here. The Mexican agent is in Matamoras.

"SWEITZER,
"Commanding."

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, August 28, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 28, 1877.

SIR: I have the honor to inclose for your information copy of a telegram of this date from General Sheridan, repeating one received from Colonel Sweitzer through General Ord, concerning the extradition of Mexican raiders, with report that assurance is given by Mexican authorities that everything is being done to arrest the parties.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 30, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th instant inclosing a copy of a telegram from General Sheridan repeating one from Colonel Sweitzer concerning the extradition of Mexican raiders, &c.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCRARY,
Secretary of War.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., Aug. 24, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch has just been received from General Ord. I

am of the opinion that the conversation reported in it is entitled to but little importance.

The reply of the governor of Texas to General Ord's dispatch will be transmitted when received.

P. H. SHERIDAN,
Lieutenant-General.

The following received from Brown. General Benavides handed me, yesterday, the following message for transmission to you:

"To Brigadier-General ORD,

"Commanding Department of Texas, San Antonio, Tex.:

"Colonel José Maria Gomez, post-commander at Camargo, to-day communicates to Major-General Seward Cavalez the following telegram:

"At 9 o'clock last night, in an interview I had with the commanding officer of the State volunteers, who have arrived at Rio Grande City, he informed me that he has received orders from the governor of the State of Texas to pursue and arrest all criminals wherever they may be found, even though it be upon Mexican soil, in case they are not promptly delivered up by the authorities. I have answered him that I have orders to pursue and arrest all persons who may commit depredations upon the United States territory and afterward seek refuge upon Mexican soil; that relative to delivering them up I shall confine myself strictly to the orders I may receive from headquarters. I also notify headquarters that there are at present organizing in State of Texas, according to the statement of said commander, twenty-five thousand volunteers for the campaign against Mexico. Escobedo, his son, and San Monroy are still in Davis. I beg, general, to call your attention to the aforesaid assertion of the commanding officer of the State volunteers in Rio Grande City, in his conversation with Colonel Gomez.

"GENERAL BENAVIDES.

"SWEITZER, *Commanding.*

"I telegraphed at once to Governor Hubbard:

"Your letter, with Captain Hall's, received. My advices do not agree with latter. My orders prohibit crossing on trails after any sort of raiders where there are Mexican troops to arrest or pursue such. Benavides telegraphs that Hall proposes to cross at Camargo, and says he is authorized by orders from you to pursue and arrest all criminals wherever they may be found, even on Mexican soil; if this is so, and he crosses, unless my orders are changed, he will cross without aid from regulars. Hall, also, according to my advice, stated to Colonel Gomez that there are twenty-five thousand volunteers organized in Texas for campaign in Mexico; such talk, if reported correctly, is likely to stop efforts on the part of the Mexican authorities to capture and return the rescued prisoners under extradition treaty.

"ORD, *Brigadier-General.*"

Forwarded for information of proper authorities.

ORD, *Brigadier-General.*

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, Ill., August 25, 1877.

General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch from General Ord has just reached me, and is transmitted for the information of the honorable Secretary of War.

P. H. SHERIDAN,
Lieutenant-General.

"Governor answers: Strict orders given Hall to confine his operations to this side. I make demand under extradition treaty; if that fails, then I shall introduce other actors, I hope, but always by consent of United States Government.

"HUBBARD."

WAR DEPARTMENT,
Washington City, August 28, 1877.

SIR: I have the honor to transmit, for your information, copy of a dispatch of the 24th instant from General Sheridan, repeating a dispatch from General Ord in regard to the statement of the commanding officer of the Texas State volunteers, that he has received orders from the governor of Texas to pursue and arrest all criminals wherever they may be found, even though it be upon Mexican soil, with a copy of General Ord's telegram to the governor of Texas upon the subject. I also inclose copy of a dispatch of the 25th instant from General Sheridan, giving a copy of a dispatch from General Ord, stating that the governor of Texas has given orders to Captain Hall to confine his operations to this side of the Rio Grande, and that the governor will make his demand under the extradition treaty; and if that fails, he will take other action by consent of the United States Government.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, August 30, 1877.

SIR: I have the honor to acknowledge with satisfaction the receipt of your communication of the 28th instant, in relation to the orders received by Captain Hall from the governor of Texas to pursue and arrest all criminals, confining his operations to this side the Rio Grande, &c.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

HON. GEORGE W. McCRARY,
Secretary of War.

OFFICE OF FALTIN & SCHREINER,
DRY GOODS, GROCERIES, &C.,
Kerrville, Kerr County, Texas, July 22, 1877.

DEAR SIR: The Indians made their appearance at the head of the Guadalupe River, about fifteen miles above here, yesterday evening; they run a young man named John Baker for about two miles; a good many horses reported missing in that neighborhood; please notify General Ord in San Antonio so he may have them intercepted on their way back to Mexico; they are no doubt Mexican Indians. If your office is not opened yet, you will confer a great favor on the people here by sending this to the telegraph-operator at Boerne, with request to telegraph news of this raid to military headquarters.

Yours, respectfully,

FALTIN & SCHREINER.

Dr. PETERSON, *Comfort.*

H. Ex. 13—15

[Indorsement.]

COMFORT, TEX., *July 22—4 p. m., 1877.**Telegraph-operator U. S. M. Telegraph, Fredericksburg :*

Please send a brief of the inclosed to department headquarters at San Antonio at once, and send this letter by mail to General Ord, and oblige.

DR. FRED. PETERSON.

Respectfully forwarded.

OPERATOR,
Fredericksburg, Tex.

JULY 23, 1877.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., July 27, 1877.

Official copy respectfully forwarded to the Adjutant-General of the Army, through headquarters Military Division of the Missouri.

E. O. C. ORD,
Brigadier General, U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, August 2, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, August 7, 1877.

Respectfully submitted to the Secretary of War, with copies for Interior Department and Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, August 8, 1877.

SIR: I have the honor to transmit, for your information, copy of a telegram of July 22, 1877, from Faltin & Schreiner, of Kerrville, Tex., stating that a raid had been made at the head of Guadalupe River by Indians supposed to be from Mexico.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The honorable the SECRETARY OF THE INTERIOR.

WAR DEPARTMENT,
Washington City, August 8, 1877.

SIR: I have the honor to transmit, for your information, copy of a telegram of July 22, 1877, from Falton & Schreiner, of Kerrville, Tex., stating that a raid had been made at the head of the Guadalupe River by Indians supposed to be from Mexico.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

The honorable the SECRETARY OF STATE.

HEADQUARTERS DISTRICT OF NEW MEXICO,
Santa Fé, N. Mex., August 16, 1877.

SIR: I have the honor to report that the indications are such that parties are organizing ostensibly in the Lerdo interest to cross into Mexico, but probably for the purpose of plunder. I thought it proper to order troops to the Mesilla Valley, with the intention of breaking up those bands.

The cavalry companies are so reduced that I have thought best to order one from Bayard and one from Stanton. Together, they will furnish from forty to fifty men, and give me more officers, which will assist in making an appearance of force, probably all that is required, though I hope to capture a party said to be in the vicinity of the Traco Tanks. This band I believe to be in possession of arms, about fifty different breech-loading patterns, stolen in July from Fort Craig magazine.

These arms are believed to have been taken from magazine by sentinels on guard at the post, and it is my impression, for the revolutionists. If persons are caught in possession of these arms we can hold them for theft, if not for violation of neutrality laws.

It is possible that these reports of organization may not have the most reliable information and may be exaggerated. I decided to thoroughly clear up the matter, and to learn at once what the intentions are of any armed party who may be near the border.

The government wagon and team captured between Selden and Bayard were turned over by the Mexican authorities, and the leader, named Joseph Smith, an American, was turned over to Lieutenant Rucker, at El Paso, and who, by permission of the civil authorities, is held in confinement at Fort Bayard. The Mexican who was engaged in the robbery they declined to give up, he being a Mexican citizen. As the Mexican authorities behave fairly in the matter they will probably surrender this man (Arricito Abelos) on the proper demand made for him upon the central government.

Lieutenant Rucker has been instructed to learn what they require. It is important that he should be tried, to prevent further attempts of the kind.

The Mexican authorities are, I think, satisfied that we intend to prevent filibustering, if possible, and will not sanction any raiding from their country on our territory.

Very respectfully, your obedient servant,

EDWARD HATCH,
Colonel Ninth Cavalry, Commanding.

The ASSISTANT ADJUTANT-GENERAL,
Department of the Missouri, Fort Leavenworth, Kansas.

[Indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
ASSISTANT ADJUTANT-GENERAL'S OFFICE,
Fort Leavenworth, Kans., August 22, 1877.

Official copy, with copies of report of Lieutenant Rucker, and the telegram to the district commander, respectfully forwarded to the Adjutant-General United States Army through headquarters Military Division of the Missouri, for the information of higher authority.

JNO. POPE,
Brevet Major-General, U. S. A.

EL PASO, TEX., August 8, 1877.

SIR: I have the honor to report everything quiet here since my communication of the 2d instant. This morning, while visiting El Paso, Mexico, I was informed by the "gefe politico" that Machomo was organizing a force at a place known as Hueco Tanks, about thirty miles northeast of here; that Machomo had eighty men, and contemplated a movement into Mexico about the 10th instant. I have no means of ascertaining whether this report is true or not; believe it is reliable. My informant stated that this news is idle rumor; that his information was derived from one of his spies, who had seen the party at the place mentioned, and that Machomo was there in person.

Very respectfully, your obedient servant,

L. H. RUCKER,

First Lieutenant and Regimental Quartermaster, Ninth Cavalry.

ACTING ASSISTANT ADJUTANT-GENERAL,

District of New Mexico, Santa Fé, N. Mex.

[Indorsement.]

HEADQUARTERS DISTRICT OF NEW MEXICO,

Santa Fé, N. Mex., August 15, 1877.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri.

This letter, with information received here reasonably corroborative, indicates that the report has foundation. Troops are now ordered to that vicinity, and will prevent filibustering by Machomo, who is advertising for men in the interest of Lerdo, but, judging from his last raid on El Paso, I presume his object is, as before, for plunder.

EDWARD HATCH,

Colonel Ninth Cavalry, Commanding.

[Telegram.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

Fort Leavenworth, Kans., August 22, 1877.

COMMANDING OFFICER DISTRICT OF NEW MEXICO,

Santa Fé, N. Mex.:

Report of August 16 received. If persons are apprehended by cavalry sent to Mesilla Valley, they should be taken to Santa Fé, and held for orders in their cases.

By command of General Pope.

PLATT,

Assistant Adjutant-General.

[Indorsements.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, August 29, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,

Lieutenant-General, Commanding.

ADJUTANT-GENERAL'S OFFICE,
Washington, September 3, 1877.

Respectfully submitted to the Secretary of War, with copy for Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, September 4, 1877.

SIR: I have the honor to transmit for your information copy of a telegram of the 16th ultimo from the commanding officer district of New Mexico, reporting on the condition of things on the Mexican border, and the measures taken to prevent the crossing into Mexico of parties supposed to be organizing for that purpose; also in regard to captured United States property turned over by Mexican authorities and the surrender of the marauders.

Very respectfully, your obedient servant,
GEO. W. McCrARY,
Secretary of War.

To the honorable the SECRETARY OF STATE.

WAR DEPARTMENT,
Washington City, August 28, 1877.

SIR: I have the honor to transmit for your information copy of telegrams from Colonel Hatch, Lieutenant Rucker, and headquarters Department of the Missouri concerning affairs on the Rio Grande.

Very respectfully, your obedient servant,
GEO. W. McCrARY,
Secretary of War.

To the honorable the SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, September 1, 1877.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, inclosing copies of telegrams in relation to affairs on the Rio Grande.

I am, sir, your obedient servant,
F. W. SEWARD,
Acting Secretary.

Hon. GEORGE W. McCrARY,
Secretary of War.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill., September 8, 1877.

The following despatch from General Ord just received:

"SAN ANTONIO, September 8.

"The follownig brief of telegram received last night from Brownsville:
"Fifteen hundred Mexican troops ready at Vera Cruz to embark for Matamoras under command of Gonzales. Their proposed mission is to

enforce terms of extradition treaty between United States and Mexico and enforcing order on the border. Local authorities being under local influence, this measure necessary, if extradition treaty to be enforced and good order maintained, as central government appears earnestly to desire.' Signed Sweitzer.

"I shall go and see Gonzales on his arrival.

"ORD, *Brigadier-General.*"

P. H. SHERIDAN,
Lieutenant-General.

Gen. E. D. TOWNSEND,
Washington, D. C.

WAR DEPARTMENT,
Washington City, September 10, 1877.

SIR: I have the honor to transmit for your information copy of a telegram of the 8th instant, giving a brief of one from Brownsville, to the effect that 1,500 Mexican troops, under Gonzales, are at Vera Cruz ready to embark for Matamoras, with the object of enforcing the terms of the extradition treaty with the United States, considered necessary by the Central Government of Mexico on account of the local authorities being under local influences.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk, for the Secretary of War in his absence.

Hon. SECRETARY OF STATE.

HEADQUARTERS POST OF FORT DUNCAN, TEXAS,
August 26, 1877.

SIR: As directed by the general commanding in a communication dated San Antonio, Tex., August 18, 1877, I have the honor to make the following statement of my own action and that of the Mexican officers, up to the present date, in connection with the the papers sent me to be presented to General Falcon calling for the extradition of certain Lipan Indians.

Immediately on receipt of the papers I sent an officer with them to Col. F. Nuncio, senior military officer at Piedras Negras, with a note from myself. Colonel Nuncio promptly replied that it was not in his power to dispose of the matter, and at once (as requested by me) dispatched the papers to General Falcon.

The substance of General Falcon's reply is supposed to be contained in the inclosed communication from Colonel Nuncio of this date. I say *supposed*, because General Falcon's letter has not been shown to me. .

I feel that I am not presuming in asserting the belief that nothing will be done by the military authorities of Mexico in earnest to secure the persons of the Indians called for.

Of course General Falcon could get accurate information as to the whereabouts of these Indians in less than forty-eight hours if he chose to do so. Mr. Schuchardt told me yesterday that the Lipans were in camp not far from Zaragoza; that he was so informed by a Mexican who had just come from that place, and that the same Mexican had before

given valuable information which had subsequently been found to be correct.

It is well known that Lipans have been in and about the town of Zaragoza several times since Trevino came to this frontier.

I respectfully request that the statements made in Colonel Nuncio's communication be sent to Judge Paschal from department headquarters, if it is deemed necessary that he should be so informed.

Very respectfully, your obedient servant,

G. W. SCHOFIELD,

Major Tenth Cavalry, Commanding Post.

ASSISTANT ADJUTANT-GENERAL DEPARTMENT OF TEXAS,

San Antonio, Tex.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Tex, August 30, 1877.

Respectfully forwarded to the assistant adjutant-general Military Division of the Missouri.

E. O. C. ORD,

Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI.

Chicago, September 5, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,

Lieutenant-General, Commanding.

[Third indorsement.]

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,

Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,

September 10, 1877.

WAR DEPARTMENT,

Washington City, September 11, 1877.

SIR: I have the honor to transmit for your information a copy of a report of Maj. G. W. Schofield, Tenth Cavalry, giving result of his application to the Mexican authorities for the extradition of the Lipan Indians.

Very respectfully, your obedient servant,

H. T. CROSBY,

Chief Clerk.

For the Secretary of War in his absence.

Hon. SECRETARY OF STATE.

HEADQUARTERS DISTRICT OF THE NUECES,

Fort Clark, Texas, September 14, 1877.

SIR: For the information of the department commander, I have the honor to state that although the instructions given to Captains Ken-

nedy and Lebo, Tenth Cavalry, and Lieutenant Jones, Tenth Cavalry, direct these officers to cross into Mexico when a trail is found by them which leads across the river, they understand that, should any Mexican troops be found on the Mexican side, the instructions for "co-operation" will apply to them, and the pursuit will be left to them. There are, however, no Mexican troops where these officers are to operate.

Very respectfully, your obedient servant.

W. R. SHAFTER,

Lieutenant-Colonel Twenty-fourth Infantry, Commanding.

Assistant Adjutant-General Department of Texas, San Antonio, Tex.

Official:

HUGH G. BROWN.

Aide-de-Camp.

[Special Orders No. 75.—Extract.]

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, September 10, 1877.

* * * * *

II. Capt. W. B. Kennedy, Tenth Cavalry, with his company, F, Tenth Cavalry, will leave on a scout on the 13th instant.

The company will be fully armed and equipped, each man provided with one hundred rounds of carbine-ammunition, rationed for thirty days, and animals foraged for ten days.

The quartermaster's department will furnish six Army wagons, teamsters rationed to September 30, and animals foraged for two days.

* * * * *

By order of Lient. Col. W. R. Shafter.

HELENUS DODT,

Acting Assistant Adjutant-General.

Official:

HUGH G. BROWN,

Aid-de-Camp.

[Special Orders No. 75.—Extract.]

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, September 10, 1877.

* * * * *

IV. A detail, to consist of two non-commissioned officers and thirteen privates, Company L, Tenth Cavalry, fully armed and equipped for field service, under existing orders, each man provided with one hundred rounds of carbine-ammunition and rations for forty-five days, will report at these headquarters on the morning of the 12th instant.

The detail will be provided with six pack-mules and two led horses.

V. Acting Assistant Surgeon I. B. Baggett, U. S. A., will report at this headquarters on the morning of the 12th instant, prepared to go on a scout for forty-five days.

The commanding officer Company F, Eighth Cavalry, will furnish him a serviceable horse and equipment.

The necessary medical stores will be furnished him by the post-surgeon, Fort Clark, for sixty men.

By order of Lieut.-Col. W. R. Shafter.

HELENUS DODT,
Acting Assistant Adjutant-General.

Official:

HUGH G. BROWN,
Aid-de-Camp.

[Special Orders No. 176.]

HEADQUARTERS FORT CLARK, TEXAS,
September 10, 1877.

I. Capt. Thomas C. Lebo, Tenth Cavalry, with one company officer and sixty enlisted men, Company K, Tenth Cavalry, fully armed and equipped for field service, under existing orders, will proceed on a scout on the morning of the 14th instant, under instructions from these headquarters. Each man will be provided with one hundred rounds of carbine-ammunition and rations for fifty days.

The pack-mules and horses to be provided with forage for ten days.

The quartermaster's department will furnish one yellow ambulance and nine Army wagons; teamsters rationed to include 30th of September; animals foraged for fifteen days.

II. First Lieut. Charles L. Davis, Tenth Infantry, and fifteen enlisted men, Company B, Tenth Infantry, fully armed and equipped for field service, each man provided with one hundred rounds of ammunition and rationed for fifty days, will report to Capt. Thomas C. Lebo, Tenth Cavalry, for scouting duty, on the morning of the 14th instant, at camp Tenth Cavalry, on Pinto.

By order of Lieut. Col. W. R. Shafter.

HELENUS DODT,
First Lieutenant and Adjutant Twenty-fourth Infantry,
Post-Adjutant.

Official:

HUGH G. BROWN,
Aid-de-Camp.

[Special Orders No. 176.]

HEADQUARTERS, FORT CLARK, TEXAS,
September 10, 1877.

III. Assistant Surgeon William C. Shannon, United States Army, will report to Capt. Thomas C. Lebo, Tenth Cavalry, on the morning of the 14th instant, ready to go on a scout for fifty days. Assistant Surgeon P. Middleton, United States Army, will furnish him medical stores for seventy-five men.

By order of Lieut. Col. W. R. Shafter.

HELENUS DODT,
First Lieutenant, Adjutant Twenty-fourth Infantry,
Post-Adjutant.

Official:

HUGH G. BROWN,
Aid-de-Camp.

[Special Orders, No. 175.]

HEADQUARTERS FORT CLARK, TEXAS,

September 10, 1877.

IV. Second Lieut. R. C. Van Vliet, Tenth Infantry, with a detail of thirty enlisted men, Company F, Eighth Cavalry, five led horses, and thirteen pack-mules, fully armed and equipped for field service, under existing orders, each man provided with one hundred rounds of carbine-ammunition, and rations for forty-five days, will report at these headquarters on the morning of the 12th instant.

V. Second Lieut. H. H. Landon, Twenty-fifth Infantry, with a detail of fifteen enlisted men, Company M, Tenth Cavalry, three led horses, and seven pack-mules, fully armed and equipped for field service, under existing orders, each man provided with one hundred rounds of carbine-ammunition, and rations for forty-five days, will report to these headquarters on the morning of the 12th instant.

VI. The first sergeant and fourteen men Company C, Tenth Infantry, fully armed and equipped for field service, will report on the morning of the 12th instant at these headquarters for escort duty as far as the falls, Pecos River, thence to Fort Concho, and to return with forage; the detail will be rationed for twenty-five days.

VII. The quartermaster's department will cause thirteen wagon-teamsters to be rationed, to include the 15th day of October, and animals foraged for twenty-five days, in charge of Crevanstein, to report at these headquarters on the morning of the 12th instant; also one escort-wagon, with six mules, and provided with four ten-gallon water-kegs; teamster to have forty-five days' rations.

By order of Lieut. Col. W. R. Shafter.

HELENUS DODT,

*First Lieutenant and Adjutant Twenty-fourth Infantry,**Post-Adjutant.*

Official:

HUGH G. BROWN,

Aid-de-Camp.

HEADQUARTERS DISTRICT OF THE NUECES,

Fort Clark, Texas, September 12, 1877.

SIR: The district commander directs that you will proceed on the 13th instant with your company on scout down the Rio Grande as far as Palafox, following generally the river below Fort Duncan.

It is not at all necessary that you make long marches, or that you go every day. It is preferable that you camp for two or three days at a time, whenever you happen to strike green grass. After you get to Pequathe, thirty-five miles below Fort Duncan, you will observe if any parties of armed Mexicans are on this side the river, and if you find camps, make them give a satisfactory account of themselves, or arrest them.

Another object of your scout, is to have your company near where Indians have twice recently crossed stolen horses into Mexico, and as they were entirely quiet last moon, it is probable they may be over during the coming one. Should you get after them, do not hesitate to cross in pursuit, and follow as fast and as far as you can, without getting into any of the large towns of the interior, sending word of your cross-

ing at the same time to these headquarters. You will get from Major Schofield a guide who knows the country on both sides of the river.

You will also select a site for a company of cavalry to have a temporary camp, either on or within a few miles of the river, and from forty-five to sixty-five miles below Duncan.

Start from Duncan with thirty days' rations, and use the whole time in making the scout; and if you desire you can remain out ten or fifteen days longer.

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

HELENUS DODT,

Acting Assistant Adjutant-General.

Capt. W. B. KENNEDY, *Tenth Cavalry,*

Camp Tenth Cavalry, on Pinto, Texas.

Official:

HELENUS DODT,

Acting Assistant Adjutant-General.

Official:

HUGH G. BROWN,

HEADQUARTERS DISTRICT OF THE NUECES,

Fort Clark, Texas, September 12, 1877.

SIR: The district commander directs that you will proceed to-day with the detachments of the Eighth Cavalry under Lieutenant Van Vliet, Tenth Cavalry, under Lieutenant Landon, the Tenth Infantry, Sergeant and Dr. Baggett, to the falls of the Pecos, forty miles above Horsehead crossing of the Pecos.

At that point you will send your train, with the infantry escort, to Fort Concho, and start on a scout to the lower part of the Staked Plains, going first to south end of White Sand Hills, then to the upper end, and from there either by Colonel Shafter's trail via Shafter's Lake to Monument Spring, or by the Three Wells, as you prefer. From Monument Spring the district commander wishes you to go to Ward's Wells and Sabinas; from there send half your party to the Five Wells, or, if you think best, you can send them by Colonel Shafter's last trail from Ward's Wells, and go yourself to Sabinas, and have the party join you there from Five Wells. Then go to Quates, and if you have time you can go out with part of your men on Nolan's trail toward Quemado, leaving it at the nearest point and going there for water.

If you have not the time to spare to do this, start on your return, coming into head of Concho from Quates in two parties, one returning to Sabinas; thence to Five Wells and Mustang Springs to head of Concho; the other party by Tobino Creek, Sulphur Spring, and by Big Spring to same place.

There join your detachments and return to this post via Concho and McKavett.

These instructions are given you in case you do not find Indians or fresh trails; in that case you will be expected to use your own judgment what to do.

In the event of meeting Indians with passes from Fort Sill, unless they are accompanied by soldiers, you will capture them and hold them until you start on your return; you can then bring them in or turn them loose, as appears to you best.

You are rationed so that you will have thirty days' rations to start

with from the falls of the Pecos. Do not have your mules packed with anything but saddles and panniers until you reach that point, so as to have them fresh for the scout.

I am, sir, very respectfully, your obedient servant,
HELENUS DODT,
Acting Assistant Adjutant-General.

Lieut. T. W. JONES,
Tenth Cavalry, Fort Clark, Texas.

Official:
HELENUS DODT,
Acting Assistant Adjutant-General.

Official:
HUGH G. BROWN,
Aide-de-Camp.

HEADQUARTERS DISTRICT OF THE NUECES,
Fort Clark, Texas, September 13, 1877.

SIR: The district commander directs that you will proceed with your company and detachment Tenth Infantry, under Lieutenant Davis, to Colonel Shafter's supply-camp of last year, on the Pecos.

There leave the infantry to guard your supplies, and with your company start on scout up the Rio Grande toward San Carlos, Mexico, and south of Fort Davis.

Lieutenant Bullis, who was recently scouting the same country, saw several trails of small parties passing through. You are liable to find little parties, and possibly temporary camps of Indians, anywhere in the Big Bend of the Rio Grande. Follow trails across the river if the trails cross. The guide, Hossu, knows the country on both sides of the river.

Lieutenant Bullis will be at the Sierra Corina on the look-out for any party of Indians that you may drive in that direction.

Indians are reported on the plains, and one or two scouts are after them; if they are found they are likely to take the same course as those did in '75, that were followed by Geddes from Laguna Sabinas, to the Rio Grande. Should you strike any trail coming from the direction of the plains, follow it as fast as you can, as by the time you strike it the Indians' stock will be tired, and they will not go very far across the river before laying up to rest.

With the four mules you are to get at San Felipe, you will be able to take thirty days' rations from the Pecos.

Send the wagons back at once with a small guard. They will be caused to meet you at the Pecos on your return, with forage.

I am, sir, very respectfully, your obedient servant,
HELENUS DODT,
Acting Assistant Adjutant-General.

Captain LEBOW,
Tenth Cavalry, Camp Tenth Cavalry, on Pinto, Texas.

Official:
HUGH G. BROWN,
Aide-de-Camp.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., September 18, 1877.

Respectfully forwarded to the assistant adjutant-general Military Division of the Missouri, for information of proper authorities.

E. O. C. ORD,
Brigadier-General, U. S. A., Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, September 24, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Third indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, September 29, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 2, 1877.

SIR: I have the honor to transmit for your information copies of instructions issued from headquarters district of Nueces, to Captains Kennedy and Lebo and Lieutenant Jones, Tenth Cavalry, directing these officers to proceed on a scout, and, although they are directed to cross into Mexico, they understand that should any Mexican troops be found on the Mexican side, the instructions for "co-operation" will apply to them, and the pursuit will be left to them.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

HEADQUARTERS DISTRICT OF RIO GRANDE,
Fort Brown, Texas, September 7, 1877.

SIR: Inclosed I send to the commanding general a communication from General Benavides to Judge Russell, extradition agent of the United States, handed me by General Benavides.

I am told the local authorities under the lead of General Canales are interposing every obstacle in the way of carrying out the extradition treaty. The animus of the affair is that Canales is governor of Tamaulipas, and does not want to be the agent for delivering up criminals who have taken refuge on Mexican soil, on account of his fear of affecting his political popularity. He is under the influence of the manipulations of elections and public sentiment; these latter control the ignorant Mexicans through their prejudices, the strongest of which is the hatred of citizens of Texas; under this influence the local authorities are afraid

to do anything that looks like taking the part of the Texas citizen against Mexican.

The Government of Mexico, seeing this, wish to place the power on this border in the hands of men more in sympathy with the government and not influenced by local prejudices.

General Benavides reports to me that fifteen hundred men under trusty officers are already *en route* to Matamoras, and that the authorities here will be superseded and the laws and orders of the government enforced.

This is the only way there can be any order on this frontier, by each side trying to enforce the laws. Whether the government will be strong enough to control this distant and isolated section is to be seen.

General Benavides goes on the steamer to-morrow for New Orleans and Washington, sending his dispatches to Mexico from New Orleans, as he is not certain they would reach the city of Mexico by the interior route.

The sympathizers with the Lerdo faction are opposing the rendition of the criminals, as they think that should the Diaz government show energy in the cause of law and order the United States would recognize the Diaz government.

General Canales' secretary is reported to be a Lerdo sympathizer.

Very respectfully, your obedient servant,

N. B. SWEITZER,

Lieutenant-Colonel Eighth Cavalry, Commanding District.

ASSISTANT ADJUTANT-GENERAL,

Department of Texas.

INSPECTOR GENERAL, MATAMORAS, MEXICO, *September 5, 1877.*
Hon. JOHN C. RUSSELL, &c., &c., &c., *Brownsville, Tex.:*

I have duly received your communication, dated 3d instant. I could not reply to it sooner, as I now have the honor to do, because on its receipt I was expecting from my government telegrams informing me of its decision in the pending case of extradition which you submit to me and argue about in your said communication.

I have had the honor of stating to you on a former occasion that my authority as an inspector of the Mexican frontier was of a purely military character, and, therefore, I could not use it in an affair which by right appertains to other authorities.

However, a sense of justice, a proper regard for the good name of my government and the harmony that I have been the first to endeavor to maintain between the authorities of both sides of the frontier, prompted me to take at once, as I did, a very active part in the affair for the purpose that the criminals should be prosecuted, and also to render the authorities all the means within my reach, in order to aid their action, which I have insisted from the first day should be as speedy and energetic as the case requires.

Since the perpetration of the act that has brought about the annoying and contested case of extradition, I have been in almost constant communication with my government; but frequently the telegraph line has been down, and therefore the transmission of telegrams from each side has not been as rapid as desired. At last I have received information of the government's resolution. My government, fully using the authority with which it is vested, in view also of the particulars with which

it has been furnished, and setting aside the proceedings of the Matamoros authorities, resolved, on 29th ultimo, that the three criminals at present in the jail of said city should be surrendered to the United States authority claiming them, and that of the execution of the order to that effect it should be duly advised.

The order was communicated to General Canales, and received by him on the 31st ultimo; but he has since insisted that only the competent judge, "Inez de primera instancia," can understand in the case, and therefore the order has not been fulfilled.

My government is informed now of the unexpected turn the affair has taken. While this feature is very painful, because it will delay the solution of the case, it is satisfactory to know that my government will sustain its resolution and carry it out, using for that purpose the ample resources at its command, thus proving once more the excellent spirit with which it has decided to fulfill its duties as a neighboring nation, and cultivate the friendly relations which ought never to have been disturbed between two nations that should always esteem each other.

I avail of this new occasion to tender you again my sincere regards, and remain, sir, your obedient servant,

General R. BENAVIDES,
Mexican Army.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., September 15, 1877.

A true copy, respectfully forwarded to the assistant adjutant-general Military Division of the Missouri, for the information of the Lieutenant-General commanding.

E. O. C. ORD,
Brigadier-General Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, September 22, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General Commanding.

[Third indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, September 26, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 2, 1877.

SIR: I have the honor to transmit for your information a copy of a communication from Lieut. Col. N. B. Sweitzer, Eighth Cavalry, inclosing therein one from General Benavides to Judge Russell, relative to the extradition of certain criminals.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

*Chicago, Ill., October 2, 1877.*General E. D. TOWNSEND,
Washington, D. C.:

The following telegram from General Ord received last night:

"Lieutenant Bullis crossed after Indians near mouth of Devil's River on 26th, expecting to have to pursue to their camp, twenty miles north of Sarragosa. Colonel Shafter crossed on 28th or 29th to support Bullis in case he might be encumbered with wounded, or need support. No news from either. Telegrams of disaster sensational."

My reports delayed by necessary absence at Austin.

P. H. SHERIDAN,
Lieutenant-General.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, October 3, 1877.

Respectfully submitted to the Secretary of War, with copy for the Department of State.

E. D. TOWNSEND,
*Adjutant-General.*WAR DEPARTMENT,
Washington City, October 4, 1877.

SIR: I have the honor to transmit for your information a copy of a telegram from General Ord reporting that Lieutenant Bullis crossed the Rio Grande on the 26th ultimo, expecting to have to pursue Indians to their camp. Also, report that Colonel Shafter crossed on the 28th ultimo, with a view of supporting Lieutenant Bullis in case of needed support.

Very respectfully, your obedient servant,

GEO. W. MCCRARY,
Secretary of War.

Hon. SECRETARY OF STATE.

[Telegram.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
*Chicago, Ill., October 3, 1877.*General E. D. TOWNSEND,
Washington, D. C.:

The following dispatch has just been received from General Ord:

"Received last night report, via Clark, from Shafter, at crossing of Bravo, that after Bullis crossed he pushed for the Lipan camp direct, which an Indian trader promised to show him, but trader failed him and he hunted for it himself. Found it five miles from Saragossa, just being abandoned by Indians who had been warned of his coming. He destroyed property, captured four squaws, one boy, twelve horses, and two mules, mostly recognized as stolen from Texas. Returned to head of San Diego River, thence back, unmolested by Mexican troops, party of which, about seventy-five strong, followed to near crossing. Dispatch received from Schofield at Duncan to-day says Falcon's orders to his troops were not to attack United States troops, but to show them

the way and see them across the river. Troops (Mexican) started from Piedras Negras, but were recalled.

"ORD."

P. H. SHERIDAN,
Lieutenant-General.

PRESIDIO, *September 16, 1877.*

DEAR BULLIS, *Fort Clark*: Yours of September 1 came to hand last night. The Mescaleros are around and about San Carlos and this side, near Serra Rica. About a month ago ten or twelve families of the Lipans came to San Carlos. The first of this month came a Comanche Indian to this place to treat for peace for seven or eight families that he said would be on the Rio Grande shortly in front of San Carlos. I am told by the Mexicans that he offered to bring all the Comanches from the reserve and join the Mexicans in war against the United States. There is some truth in this report, but I can't get at the exact facts of the case. I know there passed some communication from the gefe politico of this villa to the governor about this Comanche's proposition. The Lipans that came up a month ago are undoubtedly the same ones that you followed in last July.

There is a good many Indians in and about San Carlos. I see here every few days gangs of strange Indians that never visited the place. The Tejano was killed (so it is said) by some of the San Carlos people. This happened some time in April. It seems that Tejano and one Manuel stole some stock and were followed by five of the San Carlos Mexicans. They came upon the two Indians and fought all one morning. One of the Mexicans was killed and the other four wounded, and a kind of a draw-fight was the result. They say that the Tejano was killed, but as his "scalp" wasn't brought in and paraded, and the bounty claimed from the government, I conclude that I don't know whether he was killed or not.

I was in Chihuahua last week; there arrived from Durango about sixty families of Kickapoos, and were camped outside of the city; they are in destitute condition. I learned yesterday that a few of them had come to look at Bosque Bonito to locate. If they come to that place there will be continued trouble up about old Fort Quitman and Eagle Springs.

The Bosque Bonito lays back of Eagle Mountain, on the Mexico side of the Rio Grande, about one hundred miles north of this place. At present things look as if all the Rio Grande Indians are concentrating on this State's (Chihuahua) frontier; whether they will depredate to the other side is to be seen.

It is said that about three hundred of the Gelenians (or Gela Indians) from Arizona have crossed into the northern part of this State, and are making a clean sweep of Mexican stock in the vicinity of El Valle de San Buenventura and Galliana; upward of a hundred Mexicans fought them and were defeated, losing eighteen killed in one action. While I was in Chihuahua the 15th instant, the governor started some regular cavalry to join the ranchmen against the Indians. Since then I have heard nothing from them.

There is no use talking about these Indians in this vicinity going on to a United States reserve; they won't go unless driven, and unless the United States keeps a sharp lookout, the Comanche reserve Indians will be to this side. The Comanche that came here the other day undoubt-

edly has been sent by the discontented bands on the Stake Plains ; and if they can make any terms of peace with the Mexican authorities or the Indians, more will soon be this side of the Rio Grande.

Excuse so long a letter, and please don't let it be publicly known that I write about Indians of this land of "Liberdad y Dooses."

Yours, truly,

MOSES E. KELLEY.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Tex., October —, 1877.

A true copy, respectfully forwarded to the assistant adjutant-general Military Division of the Missouri, for the information of the Lieutenant-General commanding. This is important.

E. O. C. ORD,
Brigadier-General, Commanding.

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,
Chicago, October 16, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,
Lieutenant-General, Commanding.

[Third indorsement.]

ADJUTANT-GENERAL'S OFFICE,
Washington, October 20, 1877.

Respectfully submitted to the Secretary of War, with copies for the Departments of State and Interior.

E. D. TOWNSEND,
Adjutant-General.

WAR DEPARTMENT,
Washington City, October 24, 1877.

SIR: I have the honor to transmit for your information copy of a letter of Moses E. Kelley in reply to one from Lieutenant Bullis, concerning the Indians in the vicinity of El Presidio and in Mexico.

Very respectfully, your obedient servant,

GEO. W. McCRARY,
Secretary of War.

HON. SECRETARY OF STATE.

Similar letter addressed to the honorable Secretary of the Interior.

HEADQUARTERS POST OF FORT DUNCAN, TEXAS,
August 20, 1877.

SIR: I have the honor to make the following report of a scout made from this post by First Lieut. L. H. Orleman, Tenth Cavalry, with twenty men of B Company, Tenth Cavalry, from which he has just returned.

Having received information that Kickapoo Indians had stolen a number of horses on the night of the 13th instant, from the ranch of one Juan Reyes, on the Rio Grande, about sixty miles below this post, I immediately communicated it to General Falcon, of the Mexican army, then at Piedras Negras.

He at once ordered a force, under Major Zertuchi, to be gotten ready for field service, and said he would start it by 8 o'clock the next morning for the point where the stolen horses had been driven across the river into Mexico, and asked if I would send an officer and detachment from this post down the river on the American side to co-operate with his force, so far as getting the right trail, the assistance of the owner of the lost stock, and all information obtainable were concerned. Pursuant to this, the detachment before mentioned left the post at 8.30 a. m. on the 16th. At about 11.30 a communication from General Falcon (copy previously furnished) was handed me, in which he states that Major Zertuchi's detachment would start at 10 o'clock instead of 8, as agreed upon the evening before, and asking that the officer sent by me might be instructed to assist Major Zertuchi should the latter need assistance, and in a verbal message stating that his force would not be large enough to attack the Indians alone.

Major Zertuchi really started at about 10.30 a. m. I at once dispatched a courier to overtake Lieutenant Orleman with instructions as to additional rations should he pursue into Mexico, informing him of the late departure of Falcon's troops, and directing him to spare no effort to form a junction with them, or in the pursuit, should they find and take the trail.

Lieutenant Orleman reports in substance as follows:

Major Zertuchi arrived opposite Reyes's ranche at 9 a. m. of the 18th, crossed over and talked with him; said I had twenty men and was ready to proceed with him on the trail. He replied that he did not see the necessity for any assistance, but that should such necessity arise he would call on me. He said also that he would examine the trail, converse with persons who had seen some of the Indians, and then come over to this side and consult further with me, which he did at 2 o'clock p. m.

He had then decided to start at daylight the next morning, taking with him Juan Reyes, owner of stolen horses, and proceed to Guadalupe, to lay the case before General Falcon, who was then at his ranche near that place, saying that the general had troops enough, and would send them to capture the Indian camps and force them to give up the thieves and the stolen horses. Major Zertuchi expressed the belief that General Falcon would act at once and with all the force necessary.

Mr. Burbank, inspector of customs, informed Lieutenant Orleman that he saw at New Laredo, during the last week of July, eight Indians who had passes signed by General Treviño, and that he understood there were several more there.

Mr. Reyes says that Indians had been encamped for a number of days at a point about one and a half miles below his ranche on the Mexican side, and that they were there up to the day on which his horses were stolen.

Lieutenant Orleman states that at his second interview with Major Zertuchi, he repeated his offer to join and assist him in pursuing the Indians, and that the offer was again declined on the ground that General Falcon had four hundred men at Zaragoza, and that was sufficient force, in his opinion, for all purposes.

The owner of the horses, Juan Reyes, who was to go with Major Zer-

tuchi, was cautioned to observe closely the action of the Mexican authorities, and if he found that they were not exerting themselves to recover his stock and to secure the thieves, to report the fact immediately on his return to the commanding officer at Fort Duncan.

From the foregoing it will be seen that this our third effort, recently made to secure a joint pursuit of Indians and Mexicans with stolen stock in their possession, and who were running this stock away into the mountains of Mexico, has failed.

In my opinion, any similar efforts that may be made in the future will likewise fail, as I do not believe the Mexican authorities will consent to our troops crossing over to join in such pursuit, or if they do consent, will thwart the enterprise in some way, as they have done up to the present time.

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

G. W. SCHOFIELD,

Major Tenth Cavalry, Commanding Post.

ACTING ASSISTANT ADJUTANT-GENERAL,

District of the Nueces, Fort Clark, Texas.

HEADQUARTERS DISTRICT OF NUECES,

Fort Clark, August 23, 1877.

Respectfully forwarded to headquarters Department of Texas. I fully concur in the views as expressed by the commanding officer Fort Duncan, Texas, in the within communication.

W. R. SHAFTER,

Lieut. Col. Twenty-fourth Infantry, Commanding.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Tex., August 28, 1877.

Official copy respectfully forwarded to the Adjutant-General of the Army, through headquarters Military Division of the Missouri.

E. O. C. ORD,

Brigadier-General U. S. A., Commanding.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,

Chicago, October 30, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,

Lieutenant-General, Commanding.