

TESTIMONY

TAKEN BY THE

COMMITTEE ON MILITARY AFFAIRS

IN RELATION TO

THE TEXAS BORDER TROUBLES.

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THE TEXAS BORDER TROUBLES

MEMORANDUM

COMMITTEE ON MILITARY AFFAIRS

IN SENATE

THE TEXAS BORDER TROUBLES

WASHINGTON: GOVERNMENT PRINTING OFFICE

WASHINGTON

1914

## TEXAS BORDER TROUBLES.

*Statement of Hon. George W. McCrary, Secretary of War.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., November 23, 1877.

Hon. GEORGE W. McCRARY, Secretary of War, appeared before the committee.

Mr. WHITE. Your annual report, I believe, is ready, Mr. Secretary?

The SECRETARY. Yes.

Mr. WHITE. Does it state fully the strength of the Army?

The SECRETARY. I don't think the report itself does, but it refers to documents which give the strength fully and accurately.

Mr. WHITE. There are twenty-five infantry regiments and ten cavalry regiments?

The SECRETARY. Yes.

Mr. WHITE. What is the average strength of the infantry regiments?

The SECRETARY. I would have to look at some documents in order to give it to you exactly.

Mr. WHITE. What is the average strength of the cavalry regiments?

The SECRETARY. I cannot answer any of those questions accurately without looking at the returns, which are a matter of record.

Mr. WHITE. Are those regiments all fully officered?

The SECRETARY. Yes, sir. I think there are no vacancies, but there may be a few.

Mr. WHITE. Are the officers who belong to the infantry regiments with them on duty?

The SECRETARY. I think they are, generally; there may be some on leave of absence and on detail.

Mr. WHITE. How is it with the cavalry?

The SECRETARY. I make the same answer with regard to all the arms of the service.

Mr. WHITE. Our resolution inquires how many cavalry and how many infantry regiments are employed on the Texas frontier?

The SECRETARY. I don't think I can add anything to General Sherman's testimony on that subject; perhaps I could not be as explicit as he has been.

Mr. WHITE. Does your report exhibit that information?

The SECRETARY. I have not given the details in my report, but General Sherman has given them in his report, and I refer in mine to his. His report, and the report of the commander in that department, give all the information, I think, that you can desire on that whole subject, and give it much more accurately and fully than any one can give it in this way.

Mr. WHITE. What number of retired officers are there in the Army?

The SECRETARY. There are 300 or 301, depending upon the question whether Major Badeau, who is now consul-general at London, is to be

regarded as retaining his commission, or as having forfeited it by accepting that position.

Mr. WHITE. Three hundred is the legal limit, I believe.

The SECRETARY. Three hundred and one is the limit, as always construed by the War Department. Three hundred is the number prescribed by the Revised Statutes, and one was provided for by a special act.

Mr. WHITE. What is the number of supernumerary officers?

The SECRETARY. I don't know what you mean exactly by "supernumerary officers." Do you mean in addition to the number of officers of regiments?

Mr. WHITE. Yes; and not authorized to be retired.

The SECRETARY. I think there are not any except the graduates of West Point, and one who was put on the list by act of Congress.

Mr. WHITE. What number of graduates of West Point are in that position?

The SECRETARY. I can't give the exact number. There were seventy-six graduates at the last graduation, in June. They were all assigned, under the law, as second lieutenants; and since then, as vacancies have occurred, they have been assigned to positions, but I think there are quite a number still unassigned.

Mr. WHITE. If the number of West Point graduates increases at the same rate, will not the number of supernumerary officers be largely increased?

The SECRETARY. I think that with our present Army, if the number of graduates should continue at the rate of the last graduation, in June, we shall have a considerable surplus of officers before long. That is a question for Congress to consider, whether the number of cadets at West Point might not be reduced.

Mr. WHITE. Would you think it proper to reduce the number, in view of the facts you have just stated?

The SECRETARY. I have thought that it would be, but I have not seen fit to recommend it. I have not considered the subject very carefully.

Mr. WHITE. Do you think that the most practical way to do that would be to enlarge the territory whence the appointments are to be made?

The SECRETARY. Undoubtedly that would be the right way.

Mr. WHITE. Have you heard the testimony of General Sherman, as to the military management of the Texas frontier?

The SECRETARY. I think I have not heard it all, but I have heard a part of it.

Mr. WHITE. Has the management of the Texas frontier been the subject of attention in the War Department within the past year?

The SECRETARY. Yes. During the time that I have been in the War Department that subject has received a good deal of attention.

Mr. WHITE. Are you familiar with the status of affairs there?

The SECRETARY. I am as much so as I can be from the reports I have received; I have no personal knowledge of that country.

Mr. WHITE. There are well-authenticated reports of invasions of our territory, from time to time, by parties of different numbers coming across the border. From the information which you, as head of the War Department, have received, do you consider that those invasions are organized by private parties for purposes of booty, or are they intended for political effect?

The SECRETARY. I think there is no purpose except booty. It is a



chronic state of affairs which has existed along that border for many years. It doubtless is encouraged by the feeling of hostility which exists across the line against our people, and which has existed there for many years, having been intensified by the Mexican war; but I do not think there is any purpose on the part of those raiders except to rob and plunder the people of Texas.

Mr. WHITE. Complaints have doubtless come to the department from Texas in regard to those raids?

The SECRETARY. Very frequently.

Mr. WHITE. Has your department informed the Mexican authorities of those transactions?

The SECRETARY. That has been the duty of the State Department, and I think it has been very thoroughly performed. The War Department has had no correspondence with the Mexican authorities, except that which has taken place between General Ord and the general commanding the Mexican forces.

Mr. WHITE. In your opinion have the Mexican authorities desired to co-operate with the United States authorities to suppress these invasions and arrest the wrong-doers, or have they declined to do so?

The SECRETARY. I think the Mexican authorities have desired to put an end to those incursions, and I think that the more intelligent and better part of the Mexican people have sympathized with that desire; but I am inclined to believe that there is a very large number of people in Mexico, especially along the border, who have no sympathy with the efforts to suppress these raids.

Mr. WHITE. Do you know how many arrests of those raiders have been made since your accession to office?

The SECRETARY. I am not able to state the number. The number of arrests made, and the effort to enforce the treaty-rights of this country and of Mexico, are all matters of record in the State Department or Department of Justice, not in mine.

Mr. WHITE. Do you know whether any arrests have been made on the Mexican side by our troops, and the arrested parties brought back to Texas?

The SECRETARY. I think two or three of the raiders, who came across some two or three months ago and liberated some prisoners on the Texas side, were returned; but they were probably not arrested by our people, but voluntarily returned by the Mexican authorities. I think two or three were brought back by some kind of co-operation between the State authorities of Texas and the Mexican authorities. It was done at the instance of the governor of Texas, who has a right, under the treaty with Mexico, to demand a return of fugitives from justice.

Mr. WHITE. Those are the only instances of arrests made across the line that you know of?

The SECRETARY. All that I am now able to recall.

Mr. WHITE. What is your opinion in regard to the propriety of allowing our troops to pursue these people across the line, and make arrests?

The SECRETARY. I think it is a matter of necessity sometimes to allow our troops to cross in pursuit of raiders, if we are to suppress that raiding at all, unless we can bring a much larger force to bear upon the border than we have there at present. If these marauders can come into Texas and steal and plunder, and be secure as soon as they reach Mexican soil again, and if the Mexican authorities have not the power or the disposition to punish them, then it follows that these troubles must continue indefinitely, unless we choose to go to war in order to redress our

wrongs. I wish it was possible to protect our people in Texas without crossing the line.

Mr. WHITE. But you think it is impossible, if we are to give those people proper protection, to avoid sometimes crossing the line?

The SECRETARY. I do, sir; and that seems to have been the opinion for many years.

Mr. WHITE. You say it is impossible unless with an increased force there; what suggestion do you make in regard to an increase of the force?

The SECRETARY. I should like to have a force sufficient to increase the number of military posts along the Rio Grande, so that they might not be more than 40 miles apart, and might be garrisoned with a sufficient force of infantry (the force need not be large in any case), and I would patrol the intervening distances by cavalry. I think that such an exhibition of force along the border would effectually protect our people.

Mr. WHITE. That would necessitate the increase of the posts to what number?

The SECRETARY. That you can calculate by taking the distance, dividing it by 40, and deducting the number of posts that we already have.

Mr. WHITE. It has been suggested by General Sherman that two new posts should be established.

The SECRETARY. I do not think that that would quite fill my proposition. In my view the protection of that border is a matter of so much consequence, on account of the difficult and delicate questions that are likely to grow out of it between this government and Mexico, that I should not consider the expenditure of a few millions of dollars as of sufficient importance to prevent the establishment of whatever posts are necessary there to keep the peace.

Mr. WHITE. From your information and judgment, as Secretary of War, what increase in the number of troops do you think necessary?

The SECRETARY. That would be a matter for some little calculation, but I do not think that the force need be very large. If you have the number of posts increased so that you have some military force just at the place where you need it, the force need not be large, because these incursions are usually made by small bodies of men. If you can have the force at the right place at the right time, that is what is needed, and, with that condition provided for, I am inclined to think that the number of men suggested by General Sherman would be quite sufficient, even if you increased the posts beyond the number that he suggests. However, that is a matter which requires a little further consideration. I have brought with me, and will submit to the committee, the orders that have been given from time to time since I have been in the department, and also previous to my coming into the department, relative to crossing the Mexican border.

(The Secretary submitted the papers referred to, which were marked respectively A, B, C, D, E, F, and filed with the committee.)

The SECRETARY. I may add that the report made by the War Department in response to the resolution offered by Mr. Schleicher, of Texas, which has been sent to the House, embraces everything that appears in the records of the War Department upon this whole subject since the 4th of March last.

Adjourned.

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., December 10, 1877.

HON. GEORGE W. MCCRARY, Secretary of War, again appeared before the committee, and made the following statement :

When I last appeared before the committee, I promised to answer more fully certain questions, which I am now prepared to do. I was asked the average strength of the cavalry and infantry regiments and batteries of artillery, according to the latest returns. I have a table here which gives the best information that can be had from the returns upon that subject, which I will file with the committee. It is as follows

Statement showing average strength of regiments, companies, and batteries in United States Army.

		Highest strength.	Lowest strength.
Regiment of cavalry.....	701	929	453
Company of cavalry.....	65	90	23
Regiment of artillery.....	462	483	438
Company of artillery.....	36	47	22
Light battery of artillery.....	65	68	59
Regiment of infantry.....	355	469	299
Company of infantry.....	35	47	18

ADJUTANT-GENERAL'S OFFICE,  
Washington, November 24, 1877.

NOTE.—It is to be remembered that at the date of the reports from which the above statement is made, there were also reported 2,716 enlisted men not belonging to any of those regimental or company organizations, but yet a part of the 25,000 authorized for the Army. These are recruiting parties, engineer battalion, ordnance men, Indian scouts, &c., all employed on indispensable duties in organizing, equipping, and supplying the fighting force. They are not a part of the fighting force proper, though often employed with it in emergencies; but without them there could be no fighting force.

I was also asked as to the number of supernumerary officers in the Army. I have a statement upon that subject which gives all the facts that I think you will desire. I submit the statement as follows :

\*Supernumerary officers in the Army in excess of legal organization.

Department or corps.	Colonels.	Majors.	Captains.	Total.
Inspector-General's Department.....	3	.....	.....	3
Bureau Military Justice.....	.....	4	.....	4
Quartermaster's Department.....	1	.....	7	8
Medical Department.....	.....	.....	4	4
Ordnance Department.....	.....	.....	510	10
Total.....	4	4	21	29

\* The officers of the staff reported as "in excess of legal organization" are hardly *supernumerary*, for the organization which includes them is *legal*, and they are nearly all on duty. But their vacancies cannot be filled when they happen to occur.

The regimental or staff officers absent, either on detached duty or sick, are not *supernumerary*, for they hold their places in the legal organizations to which they belong, and no others can be appointed to them.

The additional second lieutenants are *supernumerary*, but there is a law which provides that the graduates of West Point shall be so attached when the legal organization is full, and they succeed to places as fast as they become vacant.

The line-officers reported on "other detached service" include field and other regimental officers on the recruiting service, details at West Point, at civil colleges, and other duties, where their services are generally indispensable.

- 1 Military storekeepers.
- 1 Medical storekeepers.
- 5 Ordnance storekeepers.

*Regimental officers absent from their regiments on detached duty, awaiting retirement, or by reason of sickness.*

Why absent.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	First lieutenants.	Second lieutenants.	Chaplains.	Total.	Remarks.
As aids-de-camp .....		1	1	16	14	2		34	1 colonel (Hazen) and 1 lieutenant-colonel (Chambers) attached to United States legations at Vienna and Constantinople, respectively.
On signal-service .....					12	5		17	
On other detached service	5	5	10	21	74	15		130	
Sick .....	4	3	2	24	34	13	2	82	The records indicate that from 20 to 30 of these officers are permanently unfit for active duty, and subjects for retirement.
Awaiting retirement .....				9	20	3		32	Found incapacitated by retiring-board.
Total .....	9	9	13	70	154	38	2	295	

*Staff-officers absent from duty in their own departments or corps.*

	Majors.	Captains.	First lieutenants.	Second lieutenants.	Post chaplains.	Military storekeepers.	Total.	Remarks.
Sick .....	2	4	1		8	1	16	One of these awaiting retirement.
On duty at United States Military Academy .....		1	7	2			10	
On duty with Professor Hayden's Survey .....		1					1	
On duty as Engineer District of Columbia .....			1				1	
On duty at United States legation at Saint Petersburg .....			1				1	
On duty as aid-de-camp .....	1						1	
Total .....	3	6	10	2	8	1	30	[8 post chaplains included.]

*Officers absent on ordinary leave.*

	Colonels.	Lieutenant-colonels.	Majors.	Captains.	First lieutenants.	Second lieutenants.	Chaplains.	Storekeepers.	Total.
Line-officers .....	2	1	5	24	17	17			66
Staff-officers .....			2	1	1		3	1	8

*Additional second lieutenants awaiting vacancies.*

Cavalry .....	5
Artillery .....	3
Total .....	8

For laws and regulations as to leave and reduction of pay on leave, see General Order 86, Headquarters of the Army, August 18, 1876.

ADJUTANT-GENERAL'S OFFICE, November 26, 1877.

I was asked how many graduates of West Point are yet unprovided for, and the number is 8, as will be seen by the preceding statement.

Mr. MARSH. About the 1st of June last an order was issued by you

on the subject of United States troops following Mexican raiders upon a fresh trail into Mexican territory. Please state to the committee the circumstances which made that order necessary, and also the authority, either in international law or in precedents of this government, which authorized it.

Secretary McCRABY. It was based upon information contained in a report of Lieutenant-Colonel Shafter, which gave an account of serious depredations committed by raiders from Mexico upon the people of Texas, and also upon various other documents upon the same subject which were examined and considered at the time. The ground upon which it was issued was, as I believe I stated before, that it was considered a necessity, and think that, because a necessity, it was a right. I gave one or two precedents, I think, when I was examined here before, one of which was the order to Colonel Lee, issued in 1860, and subsequent orders, under which General McKenzie entered Mexico in pursuit of a retreating band of raiders. The orders to General McKenzie were not of record, I believe, but inasmuch as he was never complained of for what he did, I apprehend that he had orders, either verbal or otherwise. In addition to these, it will be found by an examination of the history of the Seminole war in 1818 or 1819, that the whole subject was discussed at great length at that time.

Mr. MARSH. By whom?

Secretary McCRABY. General Jackson at that date, 1817, perhaps 1818, pursued the Seminole Indians into the territory of Spain under positive orders from this government to do so. The original orders with regard to that matter were issued to General Gaines before General Jackson assumed command, and are of date December 16, 1817, as follows:

DEPARTMENT OF WAR,  
December 16, 1817.

SIR: On the receipt of this letter, should the Seminole Indians still refuse to make reparation for their outrages and depredations on the citizens of the United States, *it is the wish of the President that you consider yourself at liberty to march across the Florida line and to attack them within its limits, should it be found necessary, unless they should shelter themselves under a Spanish post.* In the last event you will immediately notify this department.

I have the honor to be, &c.

J. C. CALHOUN.

General EDMUND P. GAINES,  
Fort Scott, Florida.

I will also submit an extract from a letter from the Secretary of War to Major-General Andrew Jackson, at Nashville, Tenn., dated December 26, 1817, as follows:

*Extract of a letter from the Secretary of War to Major-General Andrew Jackson, at Nashville, Tenn.*

DECEMBER 26, 1817.

You will repair, with as little delay as practicable, to Fort Scott, and assume the immediate command of the forces in that quarter of the southern division. The increasing display of hostile intentions by the Seminole Indians may render it necessary to concentrate all the contiguous disposal force of your division upon that quarter. The regular force now there is about eight hundred strong, and one thousand militia of the State of Georgia are called into service. General Gaines estimates the strength of the Indians at twenty-seven hundred. Should you be of opinion that our numbers are too small to beat the enemy, you will call on the executives of the adjacent States for such an additional militia force as you may deem requisite. General Gaines had been ordered early in last month to repair to Amelia Island. It is presumed that he had therefore relinquished the command at Fort Scott. Subsequent orders have been issued to the General (copies of which will be furnished you) advising him that you would be directed to take command, and directing him to reassume, should he deem

the public interest to require it, the command at Fort Scott until you should arrive there. If, however, the General should have progressed to Florida before the subsequent orders may have reached him, he was instructed to penetrate the Seminole towns through Florida, provided the strength of his command at Amelia would justify his engaging in offensive operations. With this view you may be prepared to concentrate your force and to adopt the necessary measures to terminate a conflict which it has ever been the desire of the President, from considerations of humanity, to avoid, but which is now made necessary by their settled hostilities.

J. C. CALHOUN,  
*Secretary.*

General Jackson, under these orders, crossed the border and attacked a Spanish post in which the Indians had taken refuge, and captured it. He also tried certain parties by court-martial while there, and caused them to be executed. The capturing of a Spanish post gave rise to a very lengthy and exhaustive discussion of the whole subject in Congress. Very few, so far as appears from the debates, took the ground that he had no right to cross the line, but there was a great debate as to whether he was justified in attacking the post. Most of the cabinet and many in Congress held that he had exceeded his authority, but Mr. Adams, then Secretary of State, defended him, on the ground that he was the judge of the necessity, and that even an attack on a Spanish post might be regarded as a defensive act, and necessary for the protection of our own citizens. The Committee on Military Affairs submitted two reports to Congress. I have an extract from one of them (which I think, however, was a minority report), in which the doctrine was laid down more strongly than I would be willing to assert it myself. It is taken from the Annals of Congress, 1818-'19, page 522. I will read a little extract to show the views of some of our statesmen of that day:

*Extract of report of Committee on Military Affairs.*

SEMINOLE WAR.

From the facts submitted, it is perfectly evident that the Spanish authorities in Florida did not retain that neutral character which was necessary to render its territory sacred; but by their own acts, either of hostility or imbecility, they made that territory the seat of war. Independent of the solemn obligations of treaty, whereby Spain engaged to keep the Indians within her territory at peace with the United States, no principle is more firmly established by the laws of nations than this, that a nation at war has the right to pursue the hostile army into the territory of a neutral nation, and to make that territory the seat of war, &c.

That last sentence is stronger than I would be willing to put it, but I think that whenever the question has arisen in this government as to the right to pursue retreating bands of hostiles across the border, under the circumstances that existed in the case of Florida, and the circumstances which now exist in the case of Texas and Mexico, it has always been held to be a right justified by the necessities of the case.

Mr. MARSH. Have you a copy of the order issued to General Lee in 1860?

Secretary MCCRARY. I filed that when I testified before, but it may as well be inserted here with the other orders that I now produce.

ADJUTANT GENERAL'S OFFICE,  
*Washington, February 24, 1860.*

SIR: Information having reached the War Department of the continued depredations of Cortina and his followers on American soil, the Secretary of War directs that you make use of your best exertions to put a period to the predatory operations of that band of outlaws, and that you employ for this purpose, if required, all the troops under your command that can possibly be spared for such service.

The most vigorous measures for the capture of Cortinas and his band will be resorted



to, and, if necessary, the Secretary of War directs that they be pushed beyond the limits of the United States.

I am, sir, very respectfully, your obedient servant,

S. COOPER,  
*Adjutant General.*

Brev. Col. R. E. LEE,  
*Second Cavalry, Commanding Department of Texas, San Antonio, Tex.*

ADJUTANT GENERAL'S OFFICE,  
*Washington, March 2, 1860.*

COLONEL: Referring to the letter I had the honor to address to you the 24th ultimo, in relation to the outlaw Cortina, I am now instructed by the Secretary of War to say that you will notify the Mexican authorities on the Rio Grande frontier that they must break up and disperse the bands of banditti concerned in the outrages which have been committed for some time past in that quarter upon the persons and property of American citizens; and, further, that they will be held by you responsible for the faithful performance of this plain duty on their part.

I am, sir, very respectfully, your obedient servant,

S. COOPER,  
*Adjutant General.*

Brev. Col. R. E. LEE, U. S. A.,  
*Commanding Department of Texas, San Antonio, Tex.*

ADJUTANT-GENERAL'S OFFICE,  
*Washington, March 3, 1860.*

COLONEL: In further reference to the subject concerning which the Adjutant-General had the honor to address you on the second instant, I am instructed by the Secretary of War to say that, should the Mexican authorities on the Rio Grande frontier refuse or fail, on your requisition or that of the officer you may delegate, to break up and disperse any band of banditti on the Mexican side of the river having for their object depredations on our side, you will cause this to be done by the force under your command.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,  
*Assistant Adjutant-General.*

Brev. Col. R. E. LEE, U. S. A.,  
*Commanding Department of Texas, San Antonio, Tex.*

Mr. MARSH. Is there anything further that you desire to say upon the subject?

Secretary McCRARY. I think not. I think it is not necessary for me to go over the ground which other gentlemen who are much more familiar with the facts than I am have been over.

Mr. MARSH. I am not certain whether the report of Colonel Shafter upon which that order was based is before the committee.

Secretary McCRARY. It will be found in the report sent to the House in answer to Mr. Schleicher's resolution. I may say generally that I think that everything that the War Department can furnish you has been furnished in reply to that resolution, and it is all in print. Here is a copy of Colonel Shafter's report, which perhaps I may as well embody in my testimony:

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.*

Mr. WHITE. General Ord, in his recent examination, testified to information of the accumulation of Mexican troops then on the Texas border or *en route*, sent there by order of the Diaz government; have you any information as to the number, and when sent, and for what purpose?

Secretary McCRARY. I have nothing except what I obtained myself from General Ord, and I apprehend that he has given you all that he gave me.

Mr. WHITE. All the information you have upon that subject at the department comes through General Ord?

Secretary McCRARY. Through General Ord entirely.

Mr. WHITE. So far as you know, as the head of the War Department, the Diaz government is desirous to preserve peace upon the border?

Secretary McCRARY. That is my information, and I believe that to be the truth; but as to the power of the Mexican Government to carry out its desires in that respect, there may be room for doubt.

Mr. WHITE. Then, if the Diaz government has that desire and sends troops accordingly, and this government co-operates by increasing the forces and the posts, and if prudent counsels prevail in the command of our troops, will not all trouble be avoided?

Secretary McCRARY. I think so; I certainly hope so.

Mr. EVINS. We have it in testimony here that the chief trouble seems to be to get information in regard to these raids in advance?

Secretary McCRARY. Yes, sir.

Mr. EVINS. If it is not an improper question, state whether or not any detective force has been employed in connection with the military headquarters to give notice of the approach of raiders.

Secretary McCRARY. I do not know what the commanding-general may have done in that respect; I think he has resorted to that method of ascertaining the approach of raids; but nothing of that kind has



been done by the War Department, for the reason that we have no authority and no fund that we can employ in that way.

Mr. EVINS. What is your opinion in regard to the advisability of it?

Secretary McCRARY. I think it might be done to great advantage.

Mr. WHITE. A system of spies?

Secretary McCRARY. Yes, sir; that is about the amount of it. The employment of a number of persons to stay in the vicinity from which these raids come and report when a raid was organized to come across the border.

The CHAIRMAN. Do you know Colonel Shafter personally?

Secretary McCRARY. Not personally. I have inquired about him recently, and he is represented as an officer of discretion and ability.

The CHAIRMAN. Is he an officer who would be prudent and careful, or is he rather an officer who would seek for all the opportunities he could find for hostile action?

Secretary McCRARY. I am advised that he might be trusted as an officer of discretion. He is undoubtedly a very brave and daring man, and if he has a fault I should think it might be in that direction, and consequently I have taken occasion several times to suggest a caution to him.

The CHAIRMAN. Have there been any charges or information of his overanxiety to cross into Mexico?

Secretary McCRARY. Yes, sir; there has been a letter published by an officer of the Army in Texas, charging that the recent raid across was not upon a fresh trail, but in violation of the order; and a court-martial has been ordered to try that question, and General Ord has also been ordered to investigate very fully the facts about that crossing.

Mr. WHITE. Does the government suffer great inconvenience in the transportation of troops to the Rio Grande and incur great expense?

Secretary McCRARY. Transportation to that region is very expensive.

Mr. WHITE. I mean to the Lower Rio Grande; for instance, to Rio Grande City.

Secretary McCRARY. Well, of course it depends upon the point from which you transport. The expense of sending troops to that border is very considerable, but details upon that subject can be had much better from the Quartermaster-General.

Mr. WHITE. There is no railroad communication, I believe, from, say Galveston, or any point upon the coast to the Rio Grande, is there?

Secretary McCRARY. I think not.

Mr. WHITE. Is there any railroad projected from any point on the Rio Grande to Galveston?

Secretary McCRARY. I think there are a number of projects, but I know of no road that is in process of construction or that promises to be completed very soon.

Mr. WHITE. Would it be to the advantage of the government in economy of transportation of troops to have a railroad constructed from Galveston City to some point upon the Rio Grande?

Secretary McCRARY. Of course, it would be a very great saving. I think I have had some inquiry made at the department about one of those projected routes, and some of the results in the way of saving. I cannot give any figures, but I know the amount is considerable.

Mr. WHITE. Would you look with favor, in the light of economy, upon a project of that kind?

Secretary McCRARY. I think I should, sir.

Mr. WHITE. The present means of transportation are now by wagons and horses, and necessarily very expensive?

Secretary McCrary. Yes, sir.

Mr. WHITE. The construction of a railroad then, from some point, if done under honest auspices, would be a measure of economy?

Secretary McCrary. I think it would. The proposition, at least, would be worthy of very careful consideration. It would be easy to estimate approximately the saving in the item of transportation over a given route, by the construction of a railroad, and the sum when ascertained would determine the question of economy.

*Statement of General William T. Sherman.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., November 21, 1877.

WILLIAM T. SHERMAN, General of the Army, appeared before the Committee and made the following statement:

I have before me the resolution of the House of Representatives of November 16, 1877, touching matters on the Texas frontier, and I beg first to submit the annual report of General Ord, who commands the Department of Texas, dated October 1, 1877, with two inclosures, one being a letter written by John H. Evans to him, dated Austin, Tex., September 26, 1877; and the other an official statement giving the number of persons killed by Indians on the frontier of Texas, from September 30, 1876, to September 30, 1877, one year, enumerating eleven in all, and giving names, dates, and places.

The following are the papers submitted by General Sherman:

HEADQUARTERS DEPARTMENT OF TEXAS,  
San Antonio, Tex., October 1, 1877.

SIR: Since my last annual report, the troops in this department have been engaged mainly in scouting after Indians on the Staked Plains and the country west of the Pecos River, the pursuit of raiders from Mexico, and in enforcing our neutrality laws by preventing the crossing of organized parties of revolutionists into Mexico.

On the lower Rio Grande the removal of Cortina and quite a number of the free troops who acted under him, and the exercise of gubernatorial functions by General Canales, had, while he was disposed to respect the orders of President Diaz, a good effect in checking cattle-raiding from that side of the river, and generally improving the condition of affairs.

Lately, however, a band of Mexicans crossed the river at Rio Grande City, broke the jail and released two criminals, wounding the jailer, his wife, and the county attorney (Mr. Noah Cox), after which they took the released criminals back to Mexico.

Efforts of Governor Hubbard, and proper officials acting under treaty for the extradition of the actors in this outrage, or the prisoners released by them, have resulted in the return by the Mexican authorities of one of the released prisoners and two of the jail-breakers, and this was accomplished mainly by the efforts of General Benevides, of the Mexican army, who happened to be at Brownsville. The names of the leaders in this outrage were given to our authorities by Mexican officials, and Major Price, commanding the district, reports that the remainder of the criminals are still at large and their whereabouts known. As the efforts for the extradition of these criminals has caused the resignation of nearly all the Tamaulipas officials applied to, it is probable that no further steps will be taken in the matter.

Three criminals who committed a murder near Hidalgo, Texas, recently are reported by Major Price to be in the town of Matamoras; efforts for their extradition have also failed.

In the case of the jail-breakers, the Mexican Government ordered the surrender of all the criminals.

Extradition papers were made out in due form by Judge Paschal, of this judicial

district, for the return of certain Lipane marauders, and at his request I transmitted them, August 18, to the Mexican commandant at Piedras Negras, to be placed in the hands of the proper officer. The only reply received is as follows:

"CONSTITUTIONAL ARMY, LINE OF THE NORTH.

"COLONEL: I have the satisfaction to inform you that General Falcon answers my communication, in accordance to which I addressed yours of the 22d, referring to the punishing of the Lipane Indians, asking me to inform you, as I now do, that these Indians decamped on the arrival of General Trevino on this frontier, and does not know where they may be found, for as yet no information has been received from the authorities of the pueblos that has been asked for.

"I am also advised to inform you that, he being actually indisposed, his condition prevents his coming to you, as he wishes; but believes that many days will not pass before he recovers, and that he will immediately occupy himself to commence with you the punishment of said Lipanes, to the end that the result may be satisfactory.

"Meanwhile I request you to address Hon. Judge Paschal; making known to him this circumstance, that has already been manifested to Capt. Charles C. Hood, Twenty-fourth Infantry, and assure him that I am animated with the best desires to be in accord with the civil and military authorities of the United States, and their endeavors tending to exterminate so many criminals dangerous to the frontiers.

"On my part, colonel, on communicating to you the resolution of General Falcon, it is gratifying to me to offer you my respects.

"Liberty and the constitution.

"Piedras Negras, August 26, 1877.

"F. NIMECO.

"Col. G. W. SCHOFIELD,

*"Commanding Fort Duncan, Eagle Pass."*

The Indians for whose extradition this demand was made are reported to me, through Major Schofield, by parties coming from there, to be camped near to, and trading in, the town of Saragoza, Mexico, where there is a garison sufficient, if used with vigor, to make the arrests; but I presume that nothing more will be heard of the matter, unless the Government of Mexico can reach the case.

These failures may, I think, be attributed to the strong local feeling in favor of screening offenders seeking refuge from Texas, and to the fact that the treaty provides only for the extradition of persons not citizens of the country.

The protection of this proviso of the treaty should not, however, be extended to Lipane Indians, who are refugees from Texas.

When President Diaz protested against our crossing in pursuit of raiders, and referred to the treaty as the legitimate remedy, he was mistaken, as a resort to it has proved.

The people of northern and western Texas were, during the civil war, and for some years after, raided upon and their settlements forced back from fifty to one hundred miles, and hundreds of people were killed by the Comanches, Apaches, and other Indians from the Wichita country, the Staked Plains, and occasionally from Mexico; but during the years 1874 and 1875 active campaigns against these wild bands within our limits resulted in their capture or retreat to the mountains of northern Mexico, bordering on the Rio Grande, and entered on the most recent maps of Mexico as unexplored "desconocido," and it is from these mountain-retreats that they have kept up a regular system of depredations upon the stock-raisers of the frontier counties of Texas; so that about in proportion as the demand for land increases, for the use of the rapidly increasing flocks and herds, the dangers attending the stock-farmer in those counties have grown and become known.

The murders and robberies committed by these Indians have so long furnished the staple news of western Texas papers that the people of the country have almost come to look upon this state of affairs as the normal condition of things—as for a long period of time it has been in Sonora, Chihuahua, and part of Coahuila—and to regard it as a part of the Texas ranchman's duty to put up with the regular full-moon raid and its accompanying horrors. Hence reports on this subject which have been made by me, although based upon official data, were, I am informed, regarded to some extent as incredible by people at the north, where life and property are (except in time of strikes) tolerably well cared for.

To show how long these depredations have been going on in northern Mexico, which is simply a continuation of western Texas, so far as concerns the character of the country and of the inhabitants, I quote from Father Jacob Sadelmayer, who visited the Apache country in 1744. After describing its great extent, over a large part of northern Mexico and what is now western Texas, and the number of tribes included in the Apache nations, among which were numbered the Gilenos, Mimbrenos, Taracones, Mescaleros, Llaneros, Lipanes, and Navajos, he adds: "Within this circuit of three hundred leagues, the Apaches reside in their small rancherias, erected in the valleys and the breaches of the mountains. The country also is very difficult of access from the crag-

giness of the mountains and the scarcity of water. According to some prisoners who have been ransomed, they are exceedingly savage and brutal. They have very little cultivated land, nor does their country supply them with any plenty of spontaneous productions. They are cruel to those who have the misfortune to fall into their hands; and among them are several apostates. They go entirely naked, but make their incursions on horses of great swiftness, which they have stolen from other parts, a skin sewing them to a saddle. Of the same skins they make little boots or shoes of one piece, and by these they are traced in their flight. They begin the attack with shouts, at a great distance, to strike the enemy with terror. They have not naturally any great share of courage, but the little they can boast of is extravagantly increased on any good success. In war they rather depend on artifice than valor; and on any defeat submit to the most ignominious terms, but keep their treaties no longer than suits their convenience. His majesty has ordered that if any require peace it should be granted, and even offered to them before they are attacked. But this generosity they construe to proceed from fear. Their arms are the common bows and arrows of the country. The intention of their incursions is plunder, especially horses, which they use both for riding and eating; the flesh of these creatures being one of their greatest dainties.

"These people, during eighty years past, have been the dread of Sonora, no part of which was secure from their violence. \* \* \* Of late years the insolence of these savages has been carried to the most audacious height from the success of some of their stratagems, principally owing to the variances and indolence of the Spaniards. \* \* \* The Apaches penetrate into the province by difficult passes, and, after loading themselves with booty, will travel in one night fifteen, eighteen, or twenty leagues. To pursue them over mountains is equally dangerous and difficult, and in the levels they follow no paths. On any entrance into their country, they give notice to one another by smokes or fires, and at a signal they all hide themselves. The damages they have done \* \* \* in the villages, settlements, farms, roads, pastures, woods, and mines are beyond description; and many of the latter, though very rich, have been forsaken."

These observations of Father Sadelmayer show that these savages—except that now they have rifles—were the same two hundred years ago as to-day.

Dr. Villa Real, a Mexican gentleman of large interests and a stock-raiser, whose ranch is near Tres Rios, about forty miles southwest of Monclova, and who visited me in connection with this matter, told me, when I informed him of the regular full-moon raids into Texas, that he and his neighbors suffered in the same way from the wild bands north of them.

Yesterday, September 30, 1877, I received a letter from Colonel Andrews, commanding Fort Davis, in which he states that a gentleman just in from the city of Chihuahua, which he left on the 24th of September, informs him that "In Chihuahua I found everything dead and dull. There arrived there from Durango, two days before I reached there (Chihuahua), two hundred and thirty regular troops, but from what I could learn they were to protect the frontier from Indians. A part of the troops left there the same day that I did, to go against a gang of Indians that were killing the rancheros in the upper part of the State (Chihuahua). The rancheros had one engagement with these Indians and were defeated, losing upward of twenty killed. The last accounts the Indians had about forty Mexican families besieged, and these troops went to their rescue."

Thus it appears that the Apaches are still killing the Mexicans as they did two hundred years ago. Can we expect that the frontier Mexicans, who for two hundred years have submitted to the forays of other Apaches, are now going to make vigorous war upon their own neighbors, the Lipanes and Mescaleros, for our protection, especially since so long as these Indians can plunder Texas ranches and find security and a market for their spoils in Coahuila, the lives and property of their Coahuilano neighbors are safe?

The Texans, during the war and reconstruction, have submitted to the murdering of the frontier inhabitants and plundering of the border settlements, because they did not see any way of relief; but now that they are reconstructed, and about as good American citizens as if they had been born in Maine (some of them were), they feel that something should be done to make life and property more secure on the border.

Now, if in certain frontier districts the provincial local authorities harbor these marauding Indians, and allow them to openly sell their plunder in their markets, and the central Government of Mexico is unable to control these authorities and enforce its orders, the remedy devolves upon us, and I believe that the instructions already received (allowing our troops to follow the trails of these marauders to their homes in the mountains south of the Rio Grande, if necessary) are sufficient.

During the last two moons there have been no raids reported below the mouth of Devil's River. Such a period of immunity has not occurred for years, and I believe it is due to the fact that my instructions, in all practicable cases, have been rigidly enforced.

It has been suggested that, in the absence of a sufficient number of regulars on this

frontier to follow to the relief of any detachment in case Mexican troops should attack such detachment in large force, Texas volunteers could be supplied on call in unlimited numbers; to which I have to say that Texas volunteers, from the well-known animosity existing on the border between the two races, might be very effective in time of war, yet for this very reason I recommended last year that both governments should keep on the border their well-disciplined regulars. The old feuds between the border men of Texas and Mexico have been kept up, and new ones have arisen, so that there would be no more certain way of bringing on a collision than to have two such forces of hostile local troops facing each other, especially on the Lower Rio Grande, where the river, by changing its course, has made the boundary-line uncertain. Therefore I prefer, until the general government is able to increase my regular force, to continue operations—which are not intended to offend Mexico, but are for self-protection—with my present force. I must remark, however, that the use of colored soldiers to cross the river after raiding Indians is, in my opinion, impolitic, not because they have shown any want of bravery, but because their employment is much more offensive to the Mexican inhabitants than that of white soldiers.

I have tried to convince the local authorities across the border that it is for our common interest to get rid of the raiding savages in the most summary manner, and that if they have not troops to do it, we have; but they have an idea that we want to get into the country and stay there—as if we had not enough of that kind of country already. Possibly, another reason why the Coahuila authorities are affiliating with the Lipanes and Mescalleros, instead of extraditing them, is that they think they might be useful as auxiliaries.

All this goes to show that, however earnest the central Government of Mexico may be to act the part of a good neighbor, border feuds, and the unrestrainable character of some of its more remote populations, may nullify its best efforts, and render necessary measures which would not be applicable in a well-ordered community.

While executing orders to prevent marauding from Mexico, the troops in this department have carried out, as far as practicable, orders from Washington to enforce the neutrality laws, and prevent the invasion of Mexico by parties from this side of the Rio Grande. A large party of revolutionists, under Colonel Martinez, was driven across the river, in June last, pursued to this side, and attacked again by Mexican troops; they took refuge in one of our camps near by, were disarmed and detained prisoners for about a month, and until they gave their parole not to organize in the United States to disturb the peace of Mexico. Another party, consisting of two officers, forty-four men, and forty-three horses, organizing for the same purpose, was arrested near Eagle Pass, by the troops, August 5, and, pursuant to law, placed under bonds by the United States commissioner not to violate the neutrality laws. General Escobedo, and sixteen officers with him, were arrested in camp near Ringgold Barracks, July 21, under instructions from these headquarters, and taken before the United States commissioner, who placed them under bonds to keep the peace; and a strict watch is being kept over the movements of every Mexican and American who might be suspected of designing to disturb the peace or plunder the people across the border.

The officers and men of this command have, with some exceptions, shown zeal, enterprise, and at times great powers of endurance; in the performance of the duties in the field required of them; as instances, I would refer to the last bold dash of Lieutenant Bullis, under the orders of, and supported by, Lieut. Col. William R. Shafter, to surprise and capture a camp of Lipanes and Mescalleros, within five miles of the town of Saragoza—the difficulty of surprising such a camp can be partially understood after reading Father Sadelmayer's account of the habits of these savages; also, to the report already forwarded, recounting the terrible sufferings of Captain Nicholas Nolau's command, which was eighty-six hours without water, while pursuing Indians on the "Staked Plains."

Few persons in the well wooded and watered States have any idea of the self-sacrificing character of the service which our officers and men are called upon to perform in order that the border settlers may sleep in peace.

Abstract A—appended—shows the number and names of the killed, wounded, and captured (these were all killed) by Indians during the year in this department. The number officially reported is shown, which is about one-third of the number actually killed by the savages. In one raid the Lipanes killed thirteen persons.

Abstract B shows the scouts made by the troops during the year.

Abstract C, the movements of troops.

D, copy of a letter from an officer of a Wisconsin regiment, showing the character of the raids and raiders, over the Lower Rio Grande, just after the war; as nearly all the Maximilian native troops referred to deserted and remained on the borders, it accounts in a measure for the large number of desperadoes still in that country.

Very respectfully, your obedient servant,

E. O. C. ORD,  
Brigadier-General, United States Army.

Col. R. C. DRUM, Assistant Adjutant-General,  
Adj't Gen'l Mil. Div. of the Missouri, Chicago, Ill.



## ABSTRACT D.

RAYMOND HOUSE,

*Austin, Texas, September 26, 1877.*

SIR: In compliance with your request, I have the honor to submit the following statement: In June, 1865, I was sent to the Rio Grande frontier as a volunteer officer in the United States forces stationed there. During the summer of 1865 I was assistant inspector-general of the brigade occupying the line from Brownsville to Ringgold Barracks, with headquarters at Edinburg. In the fall and winter succeeding, I was assistant inspector-general of the division holding the line from Brownsville to Laredo, with headquarters at Ringgold Barracks. In the spring and part of the summer of 1866 I was provost-marshal of Brownsville, and provost-marshal-general of the district of Western Texas, on the staff of General George W. Getty, whose headquarters were at Brownsville.

In the discharge of my duties as inspector, I had occasion to make frequent trips along the frontier, and so became familiar with the condition of affairs there.

At that time it was a common occurrence for bands of thieves from Mexico to make incursions into Texas and return with their booty of horses and cattle. These thieves were desperate men, "armed to the teeth," and they did not hesitate to murder any one who came in their way. At that time I think their operations were mainly south of Ringgold Barracks, and there was a particularly bad lot of them at a large ranch on the Mexican side of the Rio Grande, nearly opposite to a point called Las Cuevas, about eighteen (18) miles south of Ringgold Barracks.

At that time it was not considered safe for any man to travel alone, and every one carried arms for his own defense.

As provost-marshal, it was my duty to aid the civil authorities in the execution of the laws. I found the civil authorities wholly powerless to sustain themselves against the flood of thieves and desperadoes who swarmed across the river on their mission of pillage and murder.

The Fourth Regiment of Wisconsin Volunteer Cavalry was stationed along the Rio Grande from Carizo, in Zapata County, to White's Rancho, south of Brownsville, and they did constant patrol duty as if guarding the river in the presence of an active and ever present enemy in Mexico. This regiment did very effective service in checking forays from Mexico. At one time, Captain Ramsey of this regiment, commanding a company below Brownsville, sank a boat-load of the thieves, and captured and delivered to me at Brownsville eight (8) of their horses and equipments. He rode up to the bank of the river, where they had landed the horses and saddles, and found them just under the bank returning in a boat for more. His demand for surrender was answered by insult, whereupon his men opened upon them with their Spencer carbines, riddling the boat and its crew of thieves.

These men belonged to a regiment in Matamoras, known as the "Contra-Guerrillas," in the service of Maximilian, and such was their reputation, both in Brownsville and Matamoras, that it was said there was not a man in the whole command who had not committed theft or murder. The destruction of that boat-load of thieves produced a most salutary effect, greatly decreasing the forays from Mexico, and showing clearly the true line of policy in dealing with the border question. A regimental surgeon (Dr. Morse) was murdered in sight of Brownsville one Sunday afternoon. After robbing the surgeon, the thief took his horse, and within an hour or so was safe in Mexico. The cavalry and guide sent in pursuit trailed him to the river. A band of thieves would cross the river early in the night, sweep through the country, taking all the horses and cattle in their way, and murdering any one who crossed their path, and by morning would be safe in Mexico.

The trails invariably led to the river, and more than once our men saw the thieves with their booty on the other side, and were treated to the derisive shouts and gestures of the thieves. In February, 1868, I returned to the Rio Grande in the United States revenue service, and for about eighteen (18) months had my headquarters at Eagle Pass and Laredo, and traveled frequently between those points. During this period of time that portion of the frontier was constantly overrun by bands of Lipanes and Kickapoos, who lived in and about Mexican towns not far from the frontier. These bands pillaged and murdered indiscriminately, and in fact stripped that region of country of nearly all of its stocks of horses and cattle. A man's life was entirely unsafe outside of towns, and I never traveled without a military escort. Texans would go to Mexican towns, and find their stolen property in the hands of Indians and Mexicans, and their claims for the surrender of the property would be met with contempt and derision.

I subsequently represented the frontier district in the legislature of Texas in 1870 and 1871, and am the author of the resolutions, passed unanimously by both branches of the legislature, calling upon the Government of the United States for protection.

In conclusion, General, as one who fought for the integrity of his country, permit me to say that the utter failure of the United States to protect the people of Texas, between the Nueces and Rio Grande Rivers, for many years, and to exact reparation from Mexico for the losses they have sustained, constitutes a most shameful passage in our history, and while it has justly earned us the contempt so liberally bestowed upon us by the Mexican people, should cause the cheek of every patriotic American citizen to mantle with shame. I am not among those who wish to see the United States acquire one foot of territory from Mexico, but only desire to have American citizenship honored, and American interests protected by a government that is jealous of the honor and rights of both.

Very respectfully,

JNO. H. EVANS,  
*Secretary International and Great Northern Railroad Company.*  
*Palestine, Texas.*

General E. O. C. ORD,  
*Commanding Department of Texas.*

*List of persons killed by Indians in the department of Texas since September 30, 1876, officially reported by post commanders.*

FORT QUITMAN.

Juan Marugo, at the mail-station at Eagle Springs, October 9, 1876..... 1

FORT M'KAVETT.

—— Kountz and —— Spears, mail-carriers between Fort McKavett and Denman..... 2

FORT GRIFFIN.

—— Soule, buffalo hunter, while engaged in hunting near the Staked Plains, February 22, 1877. 1st Sergeant Chas. Butler, Company G, 10th Cavalry, in an engagement with Comanche Indians near Lake Quemado, May 4, 1877..... 2

FORT DAVIS.

Deroteo Cardinas and John Williams, at Musquez Cañon, March 7, 1877, about four miles from post. Bescento Acosta, about four miles from the post, May 30, 1877, by Apache Indians..... 3

FORT CLARK.

—— Whoermann, at his ranch, nineteen miles from the post, April 20, 1877. Unknown—small boy—near Quehi, April 21, 1877. Unknown cowboy, near Frio City, April 22, 1877..... 3

Total..... 11

The foregoing statement includes only those that have been officially reported by post commanders.

J. H. TAYLOR,  
*Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF TEXAS,  
*San Antonio, September 30, 1877.*

General SHERMAN. The whole State of Texas constitutes one department of the military division of the Missouri, commanded by General Sheridan, whose command extends over three other departments, one of which, the department of the Missouri, borders Texas on its north and west and has a material bearing on its defense. The department of Texas is commanded by Brig. Gen. E. O. C. Ord, and the department of the Missouri, by Brig. Gen. John Pope. The frontier of Texas is very extensive, and the southern and western part, in its whole extent, is more or less exposed to Indian incursions, and especially to "raids," as

they are termed, made by parties from Mexico, composed sometimes of Mexican citizens and sometimes of hostile Indians residing in Mexico. The northern border of Texas is, in like manner, subject in part to be raided by Indians from our Indian Territory, more especially the Kiowas and Comanches, who, within the last three years, have been disarmed, dismounted, and located near Fort Sill. These Kiowas and Comanches for twenty years past—indeed, ever since we have had Texas—have been in the habit of raiding that northern border, sometimes extending their raids into Chihuahua, Mexico, but they are now dismounted and disarmed, and I may say *corraled* on a reservation bordering on Texas directly north of Jacksborough, and, for the past two years, they have committed no raids or incursions at all into Texas. To accomplish this result, we use one regiment of cavalry, known as the Fourth Regulars, and we think that that regiment does more good to Texas by preventing these raids than if it were stationed in Texas. Therefore, when appealed to to move that regiment from Fort Sill into the State of Texas, I have always contended both with her citizens and her Senators that it would be a bad move, because the troops can do more where they are in the interest of Texas than they could if they were moved across the Red River and acting purely on the defensive.

But in order to describe this frontier more particularly, I will commence with the mouth of the Rio Grande. From Brazos to Fort Brown is a distance of 37 miles; from Fort Brown to Ringgold Barracks is 120 miles; from Ringgold Barracks to Fort McIntosh is 120 miles; from Fort McIntosh to Fort Duncan, 125 miles; from Fort Duncan to Fort Clark, 43 miles; making a total of 445 miles, within which occur the great bulk of these raids for the purpose of stealing cattle and horses, and the incidental killing of men which has been the subject of so much discussion. At Fort Brown, according to the last official reports, we had a garrison of 467 men, composed principally of the Eighth Regular Cavalry and the Twenty-fourth Regular Infantry. At Ringgold Barracks we have a garrison of 319 men mostly of the same regiments, and at Fort McIntosh a garrison of 52 men of the Tenth Infantry.

Mr. BRAGG. Are those posts, from Brazos to Fort Duncan, located on the Rio Grande?

General SHERMAN. Right on the Rio Grande, and I will endeavor to describe that more particularly when I come to it.

At Fort Duncan we have a garrison of 229 men, and at Fort Clark a garrison of 885 men. Fort Clark is not immediately upon the river, but it is near the river and it looks to the river; it is one of the posts selected before the civil war; it has always been maintained, and it seems to be regarded as a very important post; at all events every military commander, from Sidney Johnston down to the present time, has always kept a pretty strong force there. From official reports I make on that stretch of the Texas frontier an aggregate of 1,952 men.

Then we have a line of posts along the western border of the settlements. To the west of that line of posts, you see on the map the "Staked Plain," a country hardly susceptible of cultivation, but the settlements of Texas are pressing well toward it. Along this line are Fort McKavett, Fort Concho, Fort Griffin, and Fort Richardson, bringing you up to Fort Sill, which is in another department. In the State or department of Texas (call it which you please) are quartered to-day the Eighth and Tenth Regular cavalry, reported respectively as having 318 and 926 men. We also have three regiments of infantry, the Tenth, 469 men; the Twenty-fourth, 332 men and; the Twenty-fifth, 346 men.

You will notice, by the map, that Texas also reaches New Mexico at



El Paso. There you meet the troops of General Pope, who protects these places on the west, and in the district of New Mexico, we have also a regiment of infantry, the Fifteenth, with 333 men; and the Ninth cavalry, with 453 men. These last two regiments, although not guarding the Texas frontier, specifically, yet are dealing with a class of Indians, the Apaches, who, if not held near home, in New Mexico, would surely be down in Texas raiding. Therefore, from a military point of view, we consider that the troops in New Mexico incidentally protect Texas by withholding these Indians, who, otherwise, would raid their western frontier.

I have thus enumerated eight regiments of cavalry and four of infantry. These regiments, if filled up to the standard of, say, 1,000 men to a cavalry regiment, and 500 to an infantry regiment would, in my judgment, suffice for the Texas frontier as against raids from Mexico, and also against raids from the Indians, the Apaches, and the Comanches; but I do not believe it is possible to prevent some kind of disorder on that frontier any more than it is possible to prevent stealing and murder in this city of Washington. Crime will be committed, and we cannot prevent it; we can only guard against raiding parties having sufficient strength and sufficient display to amount to a military invasion. I think that the Senators and also the people of Texas expect more of soldiers than the soldiers can possibly accomplish. Our task there is a very difficult one. I believe that our soldiers and officers have been actuated by a desire to make that frontier safe for immigrants and for their property, but they have not succeeded in making it perfectly safe, nor has it ever been so at any time; the present condition of affairs, so far as these raids are concerned, has existed for a period away back of the time when we acquired Texas, namely 1847-48.

Mr. MAISH. You have stated, General Sherman, what number of troops you think would be sufficient to protect the frontier of Texas against raiders.

General SHERMAN (interrupting). Yes, I have stated my belief that we keep the Eighth and Tenth Cavalry filled to the number of a thousand men each (they have fallen a little below that, they are now 929 and 926 respectively), and keep those infantry regiments up to the standard of, say, five hundred men each (they are very far below that now), the frontiers of Texas would be made about as secure as the military force can undertake to make them if the army is to be ruled down to the figure of 25,000, which you seem to be determined upon.

Mr. MAISH. How many troops, in your judgment, are necessary to protect that territory against Mexican raiders alone?

General SHERMAN. Mexico is said to have on that frontier the equivalent of 4,000 of her regular troops; we have less than half that number; I should suppose that 4,000 men would be amply sufficient.

Mr. MAISH. What are those regular Mexican troops stationed there for?

General SHERMAN. To aid in maintaining the treaty relations between their government and ours. Their own people are raided on by their own Indians just as our frontier people are raided on by our Indians. The Mexican Indians raid clear into Chihuahua, and I think that some of our Apaches go over there too.

Mr. MAISH. In your judgment, what kind of troops are most efficient for the protection of that frontier?

General SHERMAN. Combined troops, infantry and cavalry; infantry to hold the posts, and cavalry to do the work which requires rapidity of movement.

Mr. MAISH. What is your idea as to the proportion that those two kinds of troops should hold to each other?

General SHERMAN. They should be in about equal proportions. Infantry can operate better in that bushy country in the mesquite; but on the open plain cavalry are better, because they can move from sixty to eighty miles in a single march, while the infantry cannot make more than from twenty to twenty-five miles. These raids are always made by stealth, so that rapidity of motion is often very important.

Mr. BRAGG. Then you do not seem to think, general, that it is the proper duty of a soldier to act as a policeman?

General SHERMAN. They have got to do it when ordered.

Mr. MAISH. In this resolution of the House, we are directed to inquire as to the condition and military management of the frontier; I suppose that you have substantially answered in regard to that?

General SHERMAN. Yes; I think that our troops there have done all that that number of men could do, and I do not feel disposed to find fault with them at all. There is discussion in regard to those troops going on now among military men as well as among civilians. We have kept the colored regiments, two of infantry and one of cavalry, there, because they are better suited to that climate; the death-rate in that climate is greater among the white troops than among the black, and there was an implied understanding when we employed the black troops that they were better qualified for Southern stations than troops of our own Anglo-Saxon race. On the whole, I bear my testimony that those troops have done admirably, better than I had reason to expect they would do, and we are well satisfied with them.

Mr. MAISH. You say that they are better qualified?

General SHERMAN. I mean that they are better adapted to that latitude so far as the preservation of life and health is concerned.

Mr. MAISH. What is the fact as to their qualifications in other respects?

General SHERMAN. I think white troops are superior. If I were compelled to choose 5,000 men to go into a fight with, I confess I would rather take 5,000 white men, and I do not think I am prejudiced. At the same time, I will say that I have been with those black troops personally; I have had them as my escort in Texas, and in New Mexico, and in the Indian Territory, and they stood up to their work as well as white troops would, and I am pleased to bear testimony to their courage and their fidelity. The special reason, however, for keeping them on the Texas frontier is what I have already stated, their supposed better adaptation to that climate. They are less liable to typhoid fevers than white troops, and really we have had some very painful instances of the effect of typhoid fever upon white troops down there. The black troops are better able to stand that climate than white troops, especially in the summer months.

Mr. WHITE. Between what points are these raids generally made into Texas from Mexico?

General SHERMAN. Between Fort Brown on the south and Eagle Pass or Fort Duncan on the north.

Mr. WHITE. What is the distance between those points?

General SHERMAN. The exact distance from Fort Brown to Fort Duncan is 402 miles.

Mr. WHITE. What is the distance between Fort Duncan and Fort Clark?

General SHERMAN. Forty-three miles. Fort Clark, as you see, is to the rear.

Mr. WHITE. Are there any raids made between those points?

General SHERMAN. Sometimes the raiders circle around, either in coming or going, by Eagle Pass, and between Fort Clark and Fort Duncan.

Mr. WHITE. Then, practically, the frontier liable to raids extends from Fort Brown to Fort Clark.

General SHERMAN. I make the extent of Mexican frontier involved in these raids 445 miles.

Mr. WHITE. How many stations are between those two extreme points?

General SHERMAN. Five.

Mr. WHITE. At an average distance of about 120 miles, I believe.

General SHERMAN. About 120 miles.

Mr. WHITE. Do you think it would be wise to add to the number of those posts?

General SHERMAN. Yes, I would add two. There should be an intervening post between Fort Brown and Ringgold Barracks, and another between Ringgold Barracks and Fort McIntosh. Two new posts should be established there after a careful reconnaissance of the country, selecting the situations as nearly as possible midway between the existing posts. That would increase the chances of catching the raiders on their return, if not of preventing the raids altogether.

Mr. WHITE. Those posts in addition to the existing posts would, in your judgment, be sufficient to protect that border if properly supplied with troops?

General SHERMAN. I think they would enable us to accomplish as much as we could expect to accomplish with our present Army of 25,000 men, and we would have hard scratching at that.

Mr. WHITE. Within the last year what number of lives have been lost by those raids from Texas?

General SHERMAN. According to General Ord's report, there were eleven persons killed from September 30, 1876, to September 30, 1877.

Mr. WHITE. What amount of property in Texas has been destroyed?

General SHERMAN. It is impossible for me even to conjecture. Those reports do not reach us. The State Department would be better able to answer that question.

Mr. WHITE. Historically, have you any knowledge of it?

General SHERMAN. No, sir, I would not even venture to state it in that way, but I think myself it has been very much exaggerated.

Mr. WHITE. In what force do those raiding parties usually come?

General SHERMAN. They are generally very small, twenty or twenty-five, or perhaps thirty or forty men.

Mr. WHITE. Are they organized?

General SHERMAN. They are not. They have that organization which may be made very suddenly; that is, they have a leader, and they come, as the Mexicans do, with a whoop and a yell.

Mr. WHITE. Have the soldiers had any hand to hand fights with them within the last year or do the raiders run?

General SHERMAN. I do not remember their stopping to fight in any instance, they always run; though I ought to be a little careful in my statement on that point, for I believe we have killed some of them, but I do not remember any particular instance. I have been on that frontier myself, but not much in the last year or two.

Mr. WHITE. In your opinion, or from information which has come to you, are those raiding parties mere straggling bands of marauders, temporarily organized for raiding purposes, or have they a regular rendezvous on the other side?

General SHERMAN. I believe they are simply marauders in their own interest, parties that come over to steal cattle, but incidentally they kill any one who stands in their way or crosses their path rather than be thwarted in their plans. Their principal object, however, is to steal cattle or horses.

Mr. WHITE. Do you think that those raids are organized for any political purpose?

General SHERMAN. No, sir.

Mr. WHITE. To be more specific, do you believe that they are intended to effect any complications between this government and that of Mexico?

General SHERMAN. No. I believe that the Mexican officials are anxious to prevent any such complications, but they have no more control over their people than we have over ours.

Mr. WHITE. You believe, then, that those two additional posts, with 4,000 men (2,000 infantry and 2,000 cavalry), would be all that would be required to protect the frontier?

General SHERMAN. I think that would be all that we would require to keep that frontier in a pretty good state of rest.

Mr. STRAIT. Does the force you have mentioned cover the whole Texas border?

General SHERMAN. No. The posts I have enumerated cover only the Mexican raiding border, as I call it. There are, as I pointed out, seven other posts, three of which guard a road leading into New Mexico, and four of which guard the western frontier of the settlements as they push toward the Staked Plain.

Mr. McCOOK. Those five posts that you have already enumerated cover the Rio Grande frontier?

General SHERMAN. Yes; they are on the Rio Grande, or so near it as to enter into the problem of the defense of that border.

Mr. STRAIT. You have already stated, I believe, the length of that Texas border so covered.

General SHERMAN. From Brazos Santiago to Fort Duncan is 402 miles; the distance to Fort Clark is 445 miles, but Fort Clark is a little off the border. Then starting from Fort Duncan and following the Rio Grande up to El Paso, you have at least 800 miles more of river, but it lies in a desert country with little or no population. Then following the border of Texas around by that line [indicating on the map], there is nearly 1,000 miles more of frontier. Indian raids have sometimes come in to Fort Richardson or Fort Griffin, and even to Fort McKavett, from the direction of the Indian Territory towards the north—Fort Sill, I would call it, because that is where we have our largest post.

Mr. STRAIT. What is the length of the Indian frontier?

General SHERMAN. It is probably 500 miles from Fort Duncan to the Red River, which forms the boundary between Texas and the Indian Territory.

Mr. STRAIT. Then there is the Indian Territory bordering on Texas.

General SHERMAN. That would be 200 miles more, making 700 miles, more or less, which would have to be guarded against raids from our own Indians.

Mr. WHITE. How far into our territory do these Mexican raiding parties usually come?

General SHERMAN. They rarely get beyond the Nueces, seventy or eighty miles. They never return by the same route that they come by; they always make a swoop around, and it is very difficult to foresee by what route they will return.

Mr. WHITE. Do our people pursue them across the river?

General SHERMAN. Yes.

Mr. WHITE. How many instances have occurred within the last six years of our forces pursuing them across the river?

General SHERMAN. I would have to look over the reports to state that. Each specific instance is reported to Washington, and we habitually send those reports to the State Department.

Mr. WHITE. Has it occurred half a dozen times?

General SHERMAN. Four or five times at any rate.

Mr. WHITE. Have the Mexican authorities said anything about it?

General SHERMAN. Yes, it has been the subject of an animated discussion conducted mostly through the State Department.

Mr. WHITE. Do the Mexicans complain of it and object to it?

General SHERMAN. I believe they do.

Mr. MARSH. How far have our troops followed them into the Mexican territory?

General SHERMAN. General McKenzie went in there fifty or sixty miles and cleared out a village, you may remember. That was more than a year ago.

Mr. MCCOOK. Was this crossing of our troops into Mexico on the Lower Rio Grande?

General SHERMAN. Yes; we call all below Fort Duncan, the Lower Rio Grande.

Mr. MCCOOK. It was in a comparatively populous portion of the country.

General SHERMAN. Yes; though it is but sparsely settled.

Mr. WHITE. Then, when you speak of the Lower Rio Grande you speak of the whole of the frontier below Fort Duncan?

General SHERMAN. Yes.

Mr. WHITE. Now, from Fort Duncan to Fort Brown there are how many troops?

General SHERMAN. Something over 1,900. I have already given the exact number.

Mr. WHITE. Did that number apply from Fort Duncan to Fort Brown?

General SHERMAN. To Fort Clark. Fort Clark is back from the river, but I think more pursuing parties are sent from that post than from any other. The troops are held in readiness to start on receiving notice from the river. The post is only about eighteen miles back from the Rio Grande, though it is forty-three miles from Fort Duncan.

Mr. WHITE. You speak of these marauders being Mexicans and Indians.

General SHERMAN. Yes.

Mr. WHITE. Are there persons of any other nationality connected with them?

General SHERMAN. Other Indian tribes do you mean?

Mr. WHITE. Are there any white men connected with them?

General SHERMAN. I would not be astonished. We have a good many white Indians growing up in this country now, horse-thieves, escaped convicts, and such characters, and I would not be at all astonished if many of these raids were participated in by white men.

Mr. WHITE. Are there any parties on the Texas frontier in the State of Texas who are supposed to be connected or interested with these raiding thieves?

General SHERMAN. Yes; we have had several sharp fights with horse-thieves in the State of Texas.



Mr. WHITE. Then the Army has been used there partly for police purposes?

General SHERMAN. Certainly. We have been compelled to do that kind of work. Upon the urgent appeals of people who have had their horses run off, the nearest commanding officer sends out parties to help them recover them. Some of these thieves have been pursued across the Indian country, even up into Lower Kansas.

Mr. WHITE. And the troops have been used for the purpose of catching those thieves?

General SHERMAN. Yes; the duty of the commanding officer is to assist the people of the frontier in making a peaceful settlement.

Mr. WHITE. And to aid in protecting them not only against Indian and Mexican raiders but against thieves in Texas?

General SHERMAN. Yes; against thieves in Texas. The commanding officer has the discretion to act in such matters, and he always reports in each instance exactly what has been done. A large trade has sprung up in Western Texas in cattle, which are driven up into Kansas to the railroad at or near Fort Dodge. They go up by what is termed the Pan Handle of Texas, which this map does not show very well. Fort Elliot is established there for the purpose of aiding cattle merchants who buy cattle in Texas and drive them up to the railroad; and thence the cattle are taken to Ohio or Illinois and fed until spring, when they are sent East. The trade amounts to two or three hundred thousand annually.

Mr. MARSH. What proportion of those eleven men who were killed were killed by Mexican raiders, and what proportion by Texas thieves; is that known?

General SHERMAN. I don't think it is known. Looking at this list I should suppose that about six of the eleven were killed in these cattle-raids, namely, those about Fort Davis and below.

Mr. MARSH. Historically, is the number of people killed in that region any greater than the number killed in any of our western mining Territories during the same space of time?

General SHERMAN. No; I think not.

Mr. BRGG. Yet you have no call for the Army to go to the mining country?

General SHERMAN. Yes; we have. We have a call from the Black Hills, now; and we had to use our troops in California as far back as 1848-9, and in 1850, to my personal knowledge.

Mr. BRAGG. Have you ever considered the system of mounted police, such as the British Government employs?

General SHERMAN. Those are soldiers just as much as ours are, enlisted in London. They call them mounted police; they are paid a dollar a day, and they cost about three times as much as our soldiers, and yet they are not a bit better.

Mr. BRAGG. They may not be better, but a company of mounted police would not require a brigadier-general to command them.

General SHERMAN. No, they would not require that.

Mr. BRAGG. Could not a system of mounted police be established which should patrol from post to post while the posts are held by the troops, so that in case of the crossing of any considerable body of raiders the troops might be called upon to assist the police, while in ordinary cases the police themselves could do the work?

General SHERMAN. How many miles of territory would you patrol in that way?

Mr. BRAGG. According to your statement here, I should think about 440 miles.

General SHERMAN. There are more men killed on the Upper Gila, between there and the Rio Grande, than anywhere else.

Mr. BRAGG. But, general, we are now considering the defense of the Rio Grande for the benefit of Texas, and I am seeking information upon that point alone, as to whether mounted police could not protect the Texas frontier or aid greatly in protecting it, and so avoid the necessity of keeping a continuous line of soldiers, like a skirmish front, all the time on the Rio Grande. The police would, of course, be under the direction of the officer in command.

General SHERMAN. You have to have some person who is responsible, some commanding officer for your police; you might call him a major, or whatever you please. There is nobody higher than a major or lieutenant-colonel down there now. But you would not change the state of facts by calling them mounted police or dragoons; the British mounted police really are dragoons.

Mr. BRAGG. The cavalry you have down there now are dragoons, but you do not use them as patrols.

General SHERMAN. Yes, we do. The Eighth Cavalry are really what would be called in a military sense "dragoons," and they are engaged in scouting or patrolling that very frontier. Now, as I have suggested, two additional posts here would make the distance between the posts shorter, and give additional convenient points where the men could relieve each other.

Mr. BRAGG. My idea was that we might increase the number of posts and then make the patrol force larger, so that they might keep up an almost constant communication between the posts until such punishment was inflicted upon the marauders that they would, perhaps, cease to come over.

General SHERMAN. Perhaps so.

Mr. WHITE. Were there any negotiations going on to establish a neutral territory upon both sides of the Rio Grande?

General SHERMAN. Of that I know nothing; the Secretary of State does not communicate with me.

Mr. WHITE. I thought that possibly you might know it from your position as commander of the Army.

General SHERMAN. No, sir; I do not know it from my position.

Mr. WHITE. What would you think of the propriety of such a policy—the establishment of a neutral ground, where both sides would be allowed to pass and repass for the purpose of making arrests.

General SHERMAN. On both sides of the river, do you mean?

Mr. WHITE. Yes.

General SHERMAN. You would have a fight in about three weeks; I think it would be a very bad policy. It is much better to have a clearly defined line and let each side be responsible for its own people.

Mr. WHITE. What would you say to the establishment of a neutral territory, if we could secure it, of fifty miles south and west of the Rio Grande, so that we could allow our forces stationed there to cross and make arrests.

General SHERMAN. I would think very badly of it, sir. I would consider it very bad policy for you to establish a neutral ground in this city of Washington where every vagabond could go and do his pleasure, and where your police could not go with safety, and that would be the case on the Rio Grande. Such a neutral territory would be the asylum of all the outlaws and outcasts on both sides.

Mr. BRAGG. I would like to inquire, General, whether General Ord's

character for energy and activity is such as to specially adapt him for the command on that frontier.

General SHERMAN. That is a very delicate question for me to answer. I have known him for forty years. It is sufficient that he has been sent there by the President. We have to employ our general officers according to the necessities of the whole country, being governed at the same time somewhat by their rank and experience. General Ord has both rank and experience, and generally speaking he has, I think, given satisfaction not only to the government, but to the people of Texas.

Mr. McCOOK. Don't you think that General Ord has accomplished as much with the forces at his command as any other officer could?

General SHERMAN. I do.

Mr. McCOOK. Where is General Ord's headquarters?

General SHERMAN. At San Antonio, Texas.

Mr. BRAGG. I had thought that General Ord's health was considerably impaired when he was in Virginia?

General SHERMAN. Not much. There is not a man in this committee who can stand half that Ord can physically. I have known him forty years and I have never seen a man stand as much hardship as Ord could, both as boy and man. I'll bet to-day that he can ride that frontier with any corporal. He is now about fifty-eight or fifty-nine years of age, but for his years I will match him against anybody.

Mr. BRAGG. You don't think he has the energy of Gibbon, do you?

General SHERMAN. Yes, he has the energy of Gibbon. Well, as a young man he was imprudent; he would swim rivers with ice floating in them when he might have bridged them, and he would go over the tops of mountains when he might have gone around. He was inclined to boast of his physical strength, and it may be that his health is becoming somewhat impaired, but the last time I saw him he looked as full of life and health as a man could be.

Mr. CLARK. What number of raids have been made on the Texas frontier during the last year, as compared with the number made in former years; has there been a decrease or an increase?

General SHERMAN. I think a decrease.

Mr. CLARK. How far have the raids penetrated the border during the past year?

General SHERMAN. My impression is that very few have come in more than fifty or sixty miles to the Nueces, which runs parallel with the Rio Grande, and varies in distance from fifty to eighty miles.

Mr. CLARK. In former years did the raids penetrate farther into Texas?

General SHERMAN. Yes; I think that some of the Mexican raids extended as far as San Antonio, about 160 miles from the frontier.

Mr. CLARK. At what period did they come in there?

General SHERMAN. Since our civil war. They did not come to San Antonio, but they came as far in distance into our territory.

Mr. CLARK. How are the raiders generally armed?

General SHERMAN. In every conceivable way, from the old Mexican escopeto down to the modern Henry or Winchester rifle, which is their preference now.

Mr. CLARK. I understood you to say that the United States troops could not give the frontier all the protection that the people there seemed to expect; that is, acting as an army; couldn't they give that protection if the whole frontier was policed?

General SHERMAN. No; I have already stated that to give perfect protection is an impossibility. Crimes will be committed there just as



they are committed in our cities, and all over the country. You have laws and a police force in this city of Washington; it is the seat of your government; and yet murders are committed here; so it is in every one of our cities and communities, however civilized, and so it will be on the Texas frontier. It is impossible for us to prevent people from coming over from Mexico; they will come over seemingly as quiet traders or dealers, and then, by preconcert they will come together at some point and steal a herd of horses or cattle and escape back, and to prevent thieving of that kind would be impossible unless you employ troops to an extent far beyond any probability.

Mr. CLARK. Far beyond what the Army could be expected to do?

General SHERMAN. Beyond what any army could be expected to do. But I think that with the force I have indicated, and two new posts, we can make cattle-raising on the Lower Brazos, below Fort Duncan, and between there and the Nueces River (which is a fine pasturage country), as safe as possible, safe enough to induce enterprising, brave men who are willing to fight for their own property, to engage in the business very extensively.

Mr. CLARK. What number of men would be required in connection with the forces now in Texas, in order to give such protection as the Army could be expected to give?

General SHERMAN. Two thousand more men; another regiment of cavalry and two more regiments of infantry.

Mr. CLARK. I understand you to say, then, that that number of troops, together with the force of the State government, would be sufficient to give all the protection that those people ought to expect to receive?

General SHERMAN. I doubt the wisdom of the State government keeping up an organized force. I think the proper way would be for the sheriff of each county to be empowered to summon a *posse comitatus*, composed of citizens or the State militia, when these raids occur, and let it be a part of the civil duty of the sheriff to arrest these cattle-thieves.

Mr. CLARK. I, of course, do not mean a regularly-organized army on the part of the State, but only such a force as any State might use in protecting its own borders.

The CHAIRMAN. I understand you to say, general, that these raids are made mostly by men who steal cattle, and who come for that purpose?

General SHERMAN. Mostly.

The CHAIRMAN. And for the purpose of stealing cattle alone?

General SHERMAN. Not cattle alone; horses, too.

The CHAIRMAN. You have stated, I believe, the exact number of troops on that frontier?

General SHERMAN. I have; there are 1,952 men on the frontier, between Fort Clark and Fort Brown—the Tenth, Twenty-fourth, and Twenty-fifth Infantry, and two regiments of cavalry, the Eighth and Tenth.

The CHAIRMAN. Two of the infantry regiments are colored troops, are they not?

General SHERMAN. Yes.

The CHAIRMAN. How many of the cavalry are colored?

General SHERMAN. The Tenth.

The CHAIRMAN. These eleven men that were reported killed, who were they?

General SHERMAN. Most of them were people residing in Texas; they were killed by Indians, raiders, or horse-thieves.

The CHAIRMAN. Have these raids from Mexico been more frequent during the last year than during the two or three years previous?

General SHERMAN. General Ord thinks that they have been less frequent than two or three years ago, or than they were ten or twenty years ago.

The CHAIRMAN. Then, is there any greater necessity for protecting the Mexican frontier by troops now than there has been during the last six or seven years?

General SHERMAN. There is. The settlements of Texas are increasing rapidly in number and in value. Immigrants are pouring in there with great rapidity, and they are naturally disposed to embark in this business of cattle-raising, but they are deterred from opening ranchos below the Nueces by even slight or partial raids. It is, of course, for the interest of the government to encourage the settlement of that country by a hardy, bold people, who will engage in raising stock, and if we can give them increased security, probably that whole region of country, which is a mesquite-grass region, will be occupied by ranchos, guarded by men who will fight for their own property and add to the wealth of the nation.

The CHAIRMAN. Is this raiding confined to the territory between the Nueces and the Rio Grande?

General SHERMAN. Almost exclusively; although raiding parties of Indians sometimes come in to the north of Fort McKavett and about Fort Griffin, but they are supposed to be Apaches.

The CHAIRMAN. Is this raiding from Mexico done by a class of people who claim that that territory belongs to Mexico, and that, therefore, they have a right there?

General SHERMAN. I have read that in the newspapers, but I doubt it. The Mexicans are generally pretty well informed of the fact that our line is the Rio Grande, and has been ever since the Mexican war. I have, however, seen that statement in the newspapers, and I think General Maxey alludes to it in his speech, which, by the way, is a very good one.

The CHAIRMAN. Are there any Texas militia now used to protect the country against those raids?

General SHERMAN. There is a force of Texas Volunteers, of which General William Steele, of San Antonio, is the commander, but of its strength or organization I have no knowledge, official or private.

The CHAIRMAN. It is claimed by some, and stated often in the newspapers, that these raids are gotten up by interested parties who have bought up the mining and the sugar regions of Northern Mexico; have you any such information?

General SHERMAN. No, sir; I have no such information; nor do I believe it to be true. I believe that the raiding is a genuine movement growing out of the fact that it is easier to steal cattle than to raise them.

The CHAIRMAN. You believe that the Mexican Government are doing all in their power to prevent these raids?

General SHERMAN. All that they can do and retain their popularity. They have to respect the local prejudices of their people, just as our members of Congress have to respect the prejudices of our people; and it is very unpopular for anybody to be in favor of the Americans. The Mexicans look upon us as an inferior race; we are called "*gringos*," and any man who sides with us in an international controversy, as a matter of course has to look out for his own constituents.

The CHAIRMAN. There have been two propositions spoken of in Congress, one to have additional fortifications on that frontier, and the

other to order our people to follow the raiders over into Mexico and capture them. I believe you have stated that there ought to be two additional posts established; do you think it would be possible to protect that frontier with fortifications?

General SHERMAN. You cannot fortify a line 400 miles long; it is a practical impossibility; but I think you can make it comparatively safe by establishing two intermediate posts, which will reduce the average distance between the posts to about 50 miles, so that the intervals may be more easily patrolled, and the chances for raids very much reduced.

The CHAIRMAN. I understood you to say that the government had already done all it could do in the other direction, by ordering General Ord to pursue these raiders if necessary.

General SHERMAN. Yes. General Ord has authority, whenever Indians or Mexicans come over on our side, to follow the party back into Mexico "on a fresh trail"; I think that is the exact language of the order.

The CHAIRMAN. That means a "hot track" in hunting parlance, does it not?

General SHERMAN. It is a term unknown to the international code. I don't think that our old friend Puffendorf ever heard of it. The old expression used to be "hot blood." General Jackson, you remember, in 1821, followed the Indians into Florida, took possession of Pensacola and Saint Mark's, and actually punished two English merchants whom he found there trading with the Indians who were raiding into Alabama and Georgia, which were at that time on our Indian frontier; the merchants were punished by sentence of a court-martial. And that action gave rise to a very learned controversy, which, I suppose, you gentlemen know more about than I do; but I think our government was justified; the rule being that where a neighbor did not prevent incursions into the territory of a friendly power, that power might protect itself by an invasion. I think that our present State Department and Executive take the same view of the case which was settled by the controversy of that time when Jackson took possession of Saint Mark's. We have been very guarded in our action in respect to the Mexican frontier. Our troops have been selected with that view, and General Ord, whenever he has authorized the crossing of the frontier, has uniformly placed a discreet commander in charge, so that nothing might be done beyond what is justified by the law of nations.

Mr. DIBRELL. You stated, a while ago, that the colored troops were placed upon the Texas frontier on account of their being adapted to the climate, but that you should prefer white troops in a fight; don't you think that it would be better for the interests of the country to change those troops, and put white troops in their place?

General SHERMAN. I do, sir; whenever you gentlemen will give us money enough to pay the expense of the change. It costs a good deal to make such a change, and we have not had money enough to buy bread and meat of late, much less enough to remove troops from one part of the country to another. On account of the great extent of our country, it is very costly to remove troops, so that I meet with objections every time I suggest the change of regiments for considerations of either efficiency or, I might say, of decency, because some of our troops, the Tenth Infantry, for instance, have been there for nine years, and they ought to be changed. I think we will interchange the white and colored troops whenever the transportation fund will warrant the expense.

Adjourned until November 22, 10 a. m.

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., November 22, 1877.

Statement of General SHERMAN continued.

General SHERMAN. With reference to the raids into Texas, I have had a memorandum compiled which enables me to speak more definitely on the subject. The memorandum has been compiled from official sources, and shows the reports which have been received and the general character of the raids complained of on that frontier. The papers referred to in this memorandum are in the Adjutant-General's Office, and can be procured at any moment. The memorandum to which I refer is as follows :

*Memoranda of reports received in the Office of the Adjutant-General since March 30, 1875, showing raids into Texas from Mexican territory.*

ADJUTANT-GENERAL'S OFFICE,  
Washington, November 22, 1877.

June 22, 1874.—Lieutenant-Colonel Shafter, commanding at Fort Duncan, reports from information collected the following raids of Mexican troops and armed Mexican citizens into United States territory :

1. Raid by a force of 60 Mexican national troops and 350 citizens into Texas, a short distance above the mouth of Pecos, and attack and capture of Indian village and 50 or 60 horses. Occurred in 1850.

2. A similar raid in 1852, capturing over 100 horses, &c.

3. Raid in 1862 of a party of 133 citizens from Saragossa, crossing into Texas and killing Indians, capturing stock, &c.

4. Raid in 1863, forces remaining on the Texas side of Rio Grande for 45 days.

5. Raid by Mexican national troops in 1869, crossing the Pecos opposite Camp Hudson, killing Indians, capturing stock, &c.

Also, raids from San Diego and Del Norte in 1871 and 1872; and in November, 1873, Francisco Arsite, of Del Norte, with about 100 citizens, made a raid into Texas, remaining 15 days.

March 30, 1875.—Governor of Texas asks President for protection to people in Texas against organized bands of robbers from Mexico, &c.

April 1, 1875.—Secretary of the Treasury leaves telegram from J. W. Ward, special deputy collector, Corpus Christi, reporting robbery and burning of the post-office at Nueces on 26th of March, by marauders, &c.

March 10, 1875.—Lieutenant-General Sheridan forwards report of commanding officer at Ringgold Barracks relative to raids by armed bodies of robbers from Mexico and the murder of Mr. Fulton and his clerk, &c.

April 20, 1875.—General of the Army reports state of affairs in country between Corpus Christi and Rio Grande: Country full of armed bands of Mexicans, burning ranches and killing people. If State troops do their duty, United States troops in Texas will be sufficient for the emergency.

June 14, 1875.—Army Headquarters, Saint Louis, repeats telegram received through proper channel from Department of Texas, reporting engagement of State troops with Mexican cattle-thieves.

November 19, 1875.—Army Headquarters, Saint Louis, communicates telegram from General Ord of operations of cattle-thieves from Mexico, and pursuit by troops, &c. Has made demand on Christoval to surrender stock and thieves.

May 29, 1875.—Richard Coke, governor of Texas, calls attention to the extraordinary condition of affairs on the Rio Grande frontier, resulting from invasions by predatory bands from the republic of Mexico, and asks assistance of the United States Government.

January 6, 1876.—General Sheridan forwards report of Capt. L. H. Carpenter, Tenth Cavalry, of a scout after hostile Indians during the month of December, 1875. Captain Carpenter has learned from various sources that the Indians from Mexico have been constantly depredating on the American side of the Rio Grande, and carrying their plunder into Mexico to trade with impunity at San Carlos and Presidio del Norte.

January 12, 1876.—General Sheridan forwards reports of scout December 23, 1875, by Capt. Henry Carroll and Lieut. M. F. Goodwin, in pursuit of Mexicans and Indians, who have been reported by citizens of Texas as having stolen 500 cattle and driven them across the Rio Grande into Mexico. The scout proceeded four miles from mouth of Devil's River, and found undoubted evidence of the crossing of large numbers of cattle into Mexico.

General Ord forwards report of H. S. Rock, guide, stating that 47 head of horses, mules, and colts, stolen from H. Nichols, were driven into Mexico, February 17, 1876.

General Sheridan forwards communication of Lieutenant-Colonel Shafter, Twenty-fourth Infantry, inclosing a memorandum of conversation held in April, 1876, with one of the Mexican officials relative to United States troops crossing the Rio Grande in pursuit of Indians, cattle-thieves, &c.

General Sheridan, May 20, 1876, reports that General Ord informs him that a band of cattle-thieves was followed to Escobedo's camp in Mexico by Captain McNally's Company of Texas troops, May 18, 1876.

General Sheridan forwards papers regarding arrest of three Mexicans who had taken refuge in Brownsville, Tex., by an armed band of Mexicans, in July, 1876.

July 26, 1876.—General Sheridan forwards reports from several officers in Texas relative to raids by the Kickapoo Indians, and the United States troops crossing into Mexico in pursuit, and also on the subject of Mexican troops crossing into Texas in pursuit of Indians; from which it appears that Mexican troops have frequently crossed into Texas in pursuit of Indians without apparent opposition from United States military authorities.

November 9, 1876.—General Ord forwards report of Lieutenant-Colonel Shafter, Twenty-fourth Infantry, of the operations of the troops composing scouting expedition under his command during the summer of 1876, on account of depredations committed in Texas by Indians from Mexico, who carry their plunder across the Rio Grande. Colonel Shafter crossed his command into Mexico, where Lieutenant Bullis, Twenty-fourth Infantry, with his command, attacked the Kickapoos, July 30, 1876, captured the entire camp with all its supplies, which were immediately destroyed; also captured 87 horses and 6 mules. After this the command recrossed into Texas.

February 1, 1877.—General Sheridan forwards report of Colonel Devin, Eighth Cavalry, January 1, 1877, of the operations of his command in the district of the Rio Grande since May 1, 1876, in which he states that the heaviest sufferers from the depredation of cattle-thieves have been rancheros and cattle-breeders from Starr, Hidalgo, and Cameron Counties, Texas, and that for many years the country has never been so exempt from raids and murders as at present, and that since May 1, 1876, he has not learned of a single well-authenticated case of cattle-raiding in his district.

May 5, 1877.—General Sheridan forwards report of Lieutenant-Colonel Shafter, April 24 and 28, indorsed by General Ord, of a raid by Mexicans and Indians through Quihi, Hondo, and New Fountain, in which 200 head of horses were driven off. United States troops in pursuit.

June 12, 1877.—Lieutenant-General Sheridan reports violation of neutrality laws by Mexican regular troops. Communicates telegram from General Ord regarding an attack by Mexicans, regular troops, upon a party of Mexican revolutionary troops under Valdez, who crossed the Rio Grande into Texas, where he was followed by troops of the Diaz Government and again attacked, &c.

July 7, 1877.—Brigadier-General Ord forwards copy of telegram from Colonel Shafter reporting pursuit by Lieutenant Bullis of raiding Indians (Lipans) from Mexico, and that the Indians were followed into Mexican territory, and after an hour's engagement a number of stolen horses recaptured.

July 6, 1877.—Commanding general Department of Texas gives brief of correspondence with General Trevino on frontier affairs. Reports raid by Lipans. Troops are in pursuit and will follow into Mexico.

July 18, 1877.—Commanding general Department of Texas communicates telegram from Colonel Shafter reporting Indian raiders crossing to Mexico. Asks if his troops are authorized to strike raiders on return trail, &c.

July 19, 1877.—Lieutenant-General Sheridan forwards, with indorsements of Colonel Shafter and General Ord, report of Lieutenant Bullis, Twenty-fourth Infantry, of his scout after Indian horse-thieves into Mexico, and recapture of 22 American horses from Indians.

July 19, 1877.—General Ord reports he has ordered Major Schofield to inform the Mexican commander in his vicinity that Indians are again in Texas from Mexico.

August 2, 1877.—Lieutenant General Sheridan forwards report from Department of Texas that Indians from Mexico are raiding in the vicinity of Kerrville, Kerr County, Texas.

August 8, 1877.—Lieutenant General Sheridan communicates telegram from General Ord that Major Schofield has captured a band of Mexican revolutionists under Valdez.

August 4, 1877.—General Ord forwards copies of telegrams, &c., from Colonel Shafter and Major Schofield, reporting that Mexican raiding parties had stolen cattle near Fort Duncan, and driven them across the Rio Grande. Also that horses and cattle were stolen at mouth of Pinto on the 29th July, and driven across into Mexico.

August 13, 1877.—Lieutenant-General Sheridan communicates telegram from General Ord that a party from Mexico attacked the jail at Rio Grande City, Texas, liberated two murderers therein confined, wounding the county attorney and three jailors.

October 2, 1877.—Lieutenant-General Sheridan communicates telegram from General



Ord that Lieutenant Bullis has crossed the Rio Grande in pursuit of raiding Mexican Indians.

October 4, 1877.—Lieutenant-General Sheridan forwards copy of telegram from General Ord, reporting troubles in El Paso County, Texas, and kidnaping, by a force of armed Mexicans, of Mr. Charles Howard, of San Elizario.

October 16, 1877.—Lieutenant-General Sheridan forwards, indorsed by General Ord, statement of Moses E. Kelley, of Presidio, reporting the situation on the frontier, that the Lipans were prepared for raid into American territory, &c.

October 30, 1877.—Lieutenant-General Sheridan forwards report of a scout by Lieutenant Orleman, Tenth Cavalry, after Indians who had stolen horses and crossed into Mexico. Mexican officers declined assistance of United States troops. Report this as third attempt made to secure joint pursuit; similar efforts likely to fail or be thwarted by Mexican authorities.

General SHEEMAN. The last report received by telegraph I have brought with me entire. I will read it.

SAN ANTONIO, TEX., November 15, 1877.

To DRUM, A. A. G., Chicago, Ill.:

The following just received from Shafter, at Fort Clark:

Schuchardt's man Sanders has just come in from Lipan camp. Seventeen Indians started for raid in Texas on the 10th, and eighteen on Sunday last; twenty-three remained in camp. The raiders were well supplied with ammunition. They will cross towards Devil's River.

SCHOFIELD, Major.

I have notified Kelly at San Felipe and ordered a party from there to scout up as far as Eagle's Nest crossing to get the trail as it comes in. Have also sent Lieutenant Davis with his Company B, Tenth Infantry, to report to him for temporary duty, so that his whole company will be available if wanted.

Have also started couriers to Camp Wood to notify Lieutenant Dolan, of the Rangers, and telegraphed the sheriff of Uvalde and Castroville to send me word at once if the Indians commit any depredations in their vicinity. I also sent an officer with detachment to the Sabinal Cañon. The cavalry company at Duncan, B, Eighth Cavalry, and K, L, M, with half of D, Tenth Cavalry, at this post, and E at San Felipe, will be held ready to follow the trail as it goes out.

I will to-day notify General Falcon of what I have heard, and ask him to assist in the pursuit when they recross the Rio Grande. I have information that I consider reliable that for a week Indians have been in Remolina daily, and that on Sunday twenty-five bucks came in from the direction of the mountains west, and were bragging that they had men enough now to fight the soldiers if they came cross the river, but made no threats of crossing.

ORD,  
Brigadier-General.

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
Chicago, Ill., November 16, 1877.

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

The arrangements made to intercept Lipans is satisfactory to the Lieutenant-General.

R. C. DRUM,  
Assistant Adjutant-General.

[First indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
Chicago, November 16, 1877.

Respectfully forwarded to the Adjutant-General of the Army.

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

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE,  
Washington, November 20, 1877.

Respectfully submitted to the Secretary of War with copy for the Department of State.

E. D. TOWNSEND,  
Adjutant-General.

Mr. MAISH. You stated yesterday that the reports which you had of the number of persons killed since September, 1876, showed the number killed by Mexicans and Indians.

General SHERMAN. Yes.

Mr. MAISH. Look at this report of General Ord's and again state whether that is correct.

General SHERMAN (referring to General Ord's report). The report of General Ord accompanying his annual report gives the names of eleven persons killed and the places where killed, but does not recite by whom they were killed, except in the instance of the one killed at Fort Griffin, which was in an engagement with Comanche Indians. The others may have been Apache Indians. The report does not state as to the persons killed at Fort Davis and Fort Clark, but my inference is that they were killed during some of the raids from Mexico.

Mr. MAISH. But General Ord's report does not show on its face that any of these persons were killed by Mexicans?

General SHERMAN. No, sir.

Mr. MAISH. You stated yesterday that you had reports of the invasion of Mexican territory by our troops.

General SHERMAN. Yes.

Mr. MAISH. Can copies of those reports be furnished?

General SHERMAN. Yes, sir.

Mr. MAISH. Have you got them with you?

General SHERMAN. No, sir.

Mr. MAISH. You can also furnish, I presume, the orders which our officers had to enter Mexican territory?

General SHERMAN. Yes; they entered by authority of orders issued by the War Department, which orders were framed with great care, and were, as I said, approved in Cabinet council and furnished to General Ord for his government and guidance.

Mr. MAISH. Have you any accurate knowledge as to the population immediately on either side of the Rio Grande?

General SHERMAN. I have not. The country between the Nueces and the Rio Grande is thinly settled; it is a cattle range, and on the other side of the Rio Grande it is also very sparsely settled.

Mr. MAISH. General McCook suggested this morning that we ought to know how far up the Rio Grande River is navigable.

General SHERMAN. It is navigable as far as Camargo. By the way the river runs its navigable distance is some 450 miles, but by the road it is the distance which I gave yesterday, from the Brazos to Ringgold Barracks, viz, 157 miles.

Mr. MAISH. Can that part of the river which is so navigable be better protected by gun-boats than by troops?

General SHERMAN. No, sir; because it can be forded almost anywhere in the autumn. The Lower Rio Grande has been patrolled by gun-boats, which doubtless aided very much in preventing raids in that particular reach of the river, but it is a very precarious river.

Mr. SCHLEICHER. Are not what are called the Cortina raids or the cattle raids which are mentioned in this report confined to that portion of the river from the mouth of the Rio Grande up to above Laredo, the upper end of the State of Tamaulipas?

General SHERMAN. What we call Fort Duncan (referring to the map). Many of the raids for cattle and horses both occur as high up as Fort Duncan.

Mr. SCHLEICHER. I understood you to state yesterday that our troops

have crossed the river at various times, at different points of the Rio Grande.

General SHERMAN. They have crossed at different points.

Mr. SCHLEICHER. Have they ever crossed in what is known as the Cortina country, or have not these crossings been always confined to the sparsely-settled portions of the country, across the Indian frontier, where there are very few Mexicans living?

General SHERMAN. I have just read to you a synopsis of all the reports received during the last twelve months, and I would prefer that that should stand as my testimony, because my knowledge comes from official reports and not from personal knowledge.

Mr. SCHLEICHER. Speaking of the climate along the river yesterday, you expressed the opinion that the colored troops were sent there because they could stand the climate better than the white troops. Is it not your opinion that the unhealthy or dangerous portion of that country is confined to the lower part of the Rio Grande?

General SHERMAN. It is. I construe that part as below Fort Duncan. We have had cases of typhoid fever there, amounting almost to yellow fever. The Lower Rio Grande is usually construed as from Fort Duncan downward.

Mr. SCHLEICHER. I understood you to say yesterday that those small incursions from Mexico could not be entirely prevented by military operations and that it was more the business of the people to secure themselves against them. I would like to call your attention to statements made by General Ord and others, to the effect that whenever Mexicans make a raid into Texas, they travel by twos and threes, entirely unsuspected, and collect together some 80 or 100 miles away from the river into Texas at some preconcerted place and time, and that then they gather up what booty they can get and start back to the river at a full run. Now, how can any farmer or stock-raiser have sufficient force to resist fifty men at once?

General SHERMAN. As I stated yesterday, the problem is a very difficult one—difficult for the citizens and equally difficult for the soldiers; because, taking Mr. Schleicher's illustration, the committee can see how impossible it is for the military to guard against the very case he states.

Mr. SCHLEICHER. That was the reason why General Ord stated that there was no remedy except in following up the raiders across the river, as it was impossible to keep them out.

General SHERMAN. It was for that purpose, I suppose, and with that view, that the Secretary of War gave to General Ord authority to cross the river in exceptional cases when he was in pursuit of a "fresh trail." Similar orders were given to General Robert E. Lee when he commanded the department of Texas in 1860.

Mr. SCHLEICHER. You spoke yesterday about the troops having to fight horse-thieves in Texas. Are you aware of any cases of that kind near the Mexican frontier?

General SHERMAN. No, they were mostly in the north. They are not connected with this Mexican matter. I stated that very clearly before, that the conflicts of troops with horse-thieves were mostly on the northern or western border of Texas.

Mr. SCHLEICHER. The killing of these eleven men and all these late occurrences took place during the last year.

General SHERMAN. The dates are all given from September, 1876, to September, 1877.

Mr. SCHLEICHER. But you recollect that before last year the incur-



sions were made more frequently, particularly in the lower or "the Cortina country."

General SHERMAN. These things have been in existence ever since we acquired that region of country in 1846, 1847, and 1848, and according to some accounts they went back 100 years before that. Our troops first occupied Fort Brown in April, 1846.

Mr. SCHLEICHER. It is generally considered that the troubles there commenced with what was called the Cortina war, when General Heintzelman was in command of our troops.

General SHERMAN. Cortina is simply a creation. If you kill Cortina, another like creation will come in his place.

Mr. SCHLEICHER. Are you acquainted with any facts as to the removal of Indians up there? Do you think that the danger is removed because the raids have decreased last year?

General SHERMAN. Some of the Kickapoos have been removed by our authorities into the Indian reservation, and a few more have recently offered to go. I do not think the danger will ever be removed so long as we have a heterogeneous class of population—Indians and Mexicans, as well as our own people, on that border. It is a question of stealing—robbery.

Mr. SCHLEICHER. Do you mean to say that our own people are engaged in it?

General SHERMAN. I am afraid they are.

Mr. SCHLEICHER. Raiding on the other side?

General SHERMAN. On both sides. That is the impression of our officers.

Mr. SCHLEICHER. Can you mention one such case?

General SHERMAN. No, sir; I have stated to the committee this morning very fully, before Mr. Schleicher arrived, the sources of the information on which I spoke about these raids. The reports are very full and I have read them as they were received. They have been put on file and are all accessible to the committee.

The CHAIRMAN. Is there any evidence in the reports which you have received of the killing within the last year of any American by Mexican raiders?

General SHERMAN. I think there have been some persons killed by Mexican raiders, but I will have to examine again and read the reports in detail, to give the names and dates. I will cause an inquiry to be made on my return to the office, and when I come to-morrow to correct this, my testimony, I will give the names and dates in full.

Mr. SCHLEICHER. What officers are here now who have served on the Rio Grande?

General SHERMAN. Colonel Clitz is here, General Potter (at the Soldiers' Home), and Colonel McCook, who is on my staff; Captain Schreiner is also here, and so is Captain Corbin. They are all familiar with that frontier.

Mr. SCHLEICHER. Will you state accurately the distance between those posts in Texas?

General SHERMAN. From Fort Clark to Fort McKavitt is 150 miles; from McKavitt to Concho, 55 miles; from Concho to Griffin, 140 miles; from Griffin to Richardson, 80 miles; and from Richardson to Sill, 125 miles; the total distance being 550 miles. Then there is another line, the mail line, on which the distances are: from Concho to Stockton, 190 miles; from Stockton to Davis, 75 miles; from Davis to Quitman, 145 miles; from Quitman to Bliss (El Paso), 80 miles; total, 490 miles.

Mr. THROCKMORTON. Is there a camp in the Pan Handle part of Texas called Camp Elliott?

General SHERMAN. Yes, sir; but that is in another department. The distance from Fort Sill to Fort Elliott is about 160 miles.

Mr. SCHLEICHER. You stated yesterday that the raids are confined to the country between the mouth of the Rio Grande and Fort Duncan.

General SHERMAN. Mostly. There have been some recently by parties moving around north of Duncan.

Mr. SCHLEICHER. Up as high as the mouth of the Pecos; Indians cross there?

General SHERMAN. Yes, sir.

Mr. THROCKMORTON. You state that it is 125 miles from Richardson to Fort Sill and 80 miles from Richardson to Griffin. I desire to ask you if it would not be better for the defense of that frontier that the post should be removed from Richardson and established more directly on the frontier between Fort Sill and Fort Griffin?

General SHERMAN. I inspected that country myself a few years ago, and in consequence of that inspection ordered a reconnaissance of the country on the direct line from Concho to Sill, intending to select a point intermediate for a post and to break up both Griffin and Richardson, but we have been deterred from attempting anything of that kind for the want of funds.

Mr. THROCKMORTON. At the time you were there, there were no settlements in the Indian country west of Jack?

General SHERMAN. None at all west of Jack.

Mr. THROCKMORTON. Now that region is settled up.

General SHERMAN. I am glad to hear it and I supposed that that was the fact from the great influx of emigration into that part of the country. We do not use Fort Richardson much now except for the sheltering of the cavalry in the bad season. I would be very happy that Congress would give us a new post there, which would save us so much marching and countermarching.

Mr. McCOOK. What is your opinion in relation to the relative importance of this frontier with the other defenseless frontiers of the country?

General SHERMAN. The Texas frontier along the Rio Grande is at least a thousand miles in extent. The chief part, however, attempted to be protected by military force, is that which I described yesterday, lying between the mouth of the Rio Grande and Fort Clark, a distance of 450 miles. The remainder of the frontier is not guarded at all, until you come to the New Mexican boundary, where is Fort Quitman. But between the western frontier at Concho and Fort Quitman, there is a stage carrying the mail, and the contractor has constantly called upon the troops for assistance and protection which they had to afford in the best way they could. Along this route are intermediate points of safety where the troops are stationed. That same stage-line goes to Fort Yuma in Arizona, and I think that along it, more especially in the eastern part of Arizona, there have been more murders committed within the last six months than on the whole frontier of Texas. It is about 150 miles from the western border of New Mexico into the settled part of Arizona.

This country is very blind with mountains, ravines, and gullies, to which the Apaches—probably the most snake-like Indians on this continent—have always resorted, and for twenty years we have been troubled very much by them. Recently our officers have offered to carry the mail rather than have the contractor calling for soldiers to gallop alongside of his buckboard. General Kautz, who commands in

Arizona, recently here, told me that he had asked the contractor to carry the mail in a wagon, and offered to send some soldiers along in the wagon, but he would not do that because a single horse can draw his buckboard with a light mail much cheaper. They can whip along at the rate of nine miles an hour, and no cavalry can travel at that pace. This service alone would break down a regiment of cavalry in three months. We must guard that line.

The country in Arizona is described as being rich in silver and gold, and it will soon be filling up with people. There is one regiment of cavalry and one of infantry in Arizona, notwithstanding which we are constantly receiving petitions from the people for more troops. Then, in the southern part, especially near the Mexican frontier, is found the same cause which we have along the Texas frontier, and in time there will be the same trouble there. The moment that immigrants fill up that country and get horse ranches and cattle-ranches established, we will have the same raids and stealing as now exist on the Texas frontier. The necessity for guarding that line is growing and increasing just in proportion as population flows in. In addition to that, there is another long line of country, including the Indian Territory west of Arkansas, where there are twenty or thirty thousand Indians—Kiowas, Comanches, Cheyennes, Arapahoes—daring Indians, who require close watching. We have to keep troops among them. There is a regiment of cavalry and some infantry there. At Fort Elliot, we have also to keep some troops to protect the Texas cattle-trade in the Pan-Handle district of Texas.

Farther west [indicating on the map] we have to keep troops because there are eleven thousand Navajo Indians there located. These Indians used to be very hostile, but now they are not; still we have to keep troops among them. Going north again we come to the Arkansas River line. Ten years ago that used to be one of the worst countries for Indians on this continent. The Kiowas and Comanches came from the south, and the Cheyennes and Arapahoes from the north. But now this country is pretty well settled up, and we have withdrawn nearly all the troops except a few at Fort Dodge and Fort Larned. There is a mountainous piece of country in here [indicating on the map] known as the Sangre de Cristo, or San Juan country, on the other side of which you reach the Ute country. These Ute Indians are entirely inland, but they give trouble. They raid upon farms and resist miners; sometimes collect into bands and commit depredations, when trouble arises and troops are called upon. Therefore we have to keep troops in that country as against the Utes.

Then [again indicating on the map] take the line of the Pacific Railroad. That is the great central line across the continent. If Indians were to raid this railroad it would create, of course, great apprehension. During the construction of the railroad and since its construction, in the earliest stages of its operation, we were compelled to keep a large force of troops there, at long intervals, 300 miles apart, and they have fulfilled a most important use. But these troops have been gradually withdrawn until now there is but a very thin line there. In Utah, as you all know, we have to contend with the Mormon troubles. The Mormons and the Christian people, whom they call "Gentiles," have a conflict of interest, and we have the headquarters and part of a regiment of infantry at Salt Lake City, and another part of the same regiment down south at Fort Cameron, so that Utah requires a regiment of infantry, probably not over 300 men. But they are necessary. In Nevada there used to be danger from the Indians, the Utes and the

Piutes, but we have now withdrawn nearly all the troops except at one point.

From there north [indicating on the map] there are little patches of Indians who formerly occupied the whole of this country, but who are now collected into small reservations like the Modocs. They require watching. The people are afraid of the same or similar troubles as we had with the Modocs, and you are all familiar with the recent Nez Percés war. And so on, going north, you come to Oregon. I suppose that in this northern belt of land, two thousand miles long [indicating on the map] and two hundred miles wide, from the British line south, there are more than a hundred times as many hostile Indians as are in Texas, and bolder Indians, too, like the Blackfeet and Piegans. And, lastly, the great Sioux or Dakota nation, now located on the reservation north of Nebraska, bordering the Missouri River, containing full 30,000 of the bravest and boldest Indians on this continent, now disarmed, dismounted, and partially subdued, but as sure to break out in the spring as that the grass will grow. We have been fighting them for a hundred years already, and I suppose will continue fighting them until they are all domesticated. If Texas requires a force of four thousand men, then, according to the same ratio, there ought to be forty thousand men on this northern line alone.

Mr. THEOCKMORTON. You speak of a great number of murderers in Arizona. Have you had reports from your officers as to the number of times that the stage has been robbed and persons killed between Stockton and El Paso?

General SHERMAN. We have not. That is the same mail-road I have spoken of, a part of which lies in Texas, part in New Mexico, and the balance in Arizona.

Mr. THEOCKMORTON. Within the last ten days we have had reports that the stage has been stopped and robbed, and I have been told that in the month of August there were forty persons killed there.

Mr. MCCOOK (to General Sherman). I understood you to say that two regiments of General Pope's department, stationed in Arizona, are used practically for the defense of that portion of Texas.

General SHERMAN. Not in Arizona. They are in the Indian Territory, right in the midst of the Kiowas, Comanches, Cheyennes, and Arapahoes, who formerly raided into Texas. These Indians have been disarmed, dismounted, and, as we term it, "corraled," that is, confined to a limited extent of country, with troops right in their midst. They have made no raids into Texas of late. They are at or near Fort Sill.

Mr. MCCOOK. But there are two regiments stationed in the neighborhood of El Paso.

General SHERMAN. No; not at El Paso, but in the whole of New Mexico, and a portion of them are in the lower country near El Paso. They are auxiliary to the protection of the Texas frontier.

Mr. SCHLEICHER. Fort Quitman has been abandoned.

General SHERMAN. Yes; but I guess we will have to reoccupy it.

Mr. MILLS. Are not these Kiowas and Comanches permitted to go over into Texas?

General SHERMAN. Never, unless when they have an escort of troops along with them; and the officer is responsible for their conduct.

Mr. MCCOOK. By giving two additional posts along the line of the Lower Rio Grande, and by increasing the strength of the cavalry regiments in Texas to a thousand men each, and the strength of the three infantry regiments to five hundred men each (with the force of cavalry stationed at Fort Sill, in the Indian Territory, and the assistance ren-

dered from General Pope's command), in your judgment, is that force amply sufficient for the protection of the Texas frontier?

General SHERMAN. We are governed by two conditions; first, the necessity; next, the ability to respond to that necessity. The call for troops in every direction is so constant, that from our knowledge of the relative claims of each particular part of the frontier, I am compelled to say that I do not think we can spare more troops than the present organizations in and around Texas, but I should be most happy if the companies there were filled up so that a regiment of cavalry should be, say, a thousand men, and a regiment of infantry should number five hundred effective men, in which case, with the two posts which I indicated yesterday, I think we can protect that frontier of Texas very well—reasonably well.

Mr. McCOOK. Can that be done with the present military establishment, without doing injustice to other portions of the country?

General SHERMAN. We cannot draw troops from any other portion of the country without doing injustice to it.

Mr. CLARK. You have stated that within the last twelve months eleven persons have been killed in Texas by Indian or Mexican raiders. How many men have been killed in other portions of the country by Indian raiders during that same period of time?

General SHERMAN. Nearer five hundred; I would have to make a tabular statement. In the Nez Percés war we have lost nearly a hundred soldiers and officers and at least a hundred citizens.

Mr. WHITE. Then, this five hundred includes citizens and soldiers?

General SHERMAN. Yes, sir; it is a mere rough estimate. We have also lost very many in the Sioux campaigns.

Mr. WHITE. When you spoke of a force of 4,000 men being necessary to defend successfully the Rio Grande frontier, did you include also the protection of the frontier from El Paso down to that point?

General SHERMAN. I did not.

Mr. WHITE. Then, if you were establishing two additional posts along the frontier, would you locate them between Fort Duncan and the mouth of the Rio Grande?

General SHERMAN. Yes, sir; I would locate one between Fort Duncan and Fort McIntosh, and one between McIntosh and Ringgold Barracks.

Mr. WHITE. Judge Howard was captured at El Paso. That would indicate that they are getting bolder and are avoiding the more thickly-settled portions and making the raids higher up on the frontier. Does that call for protection there?

General SHERMAN. That protection must come from the direction of New Mexico. The valley of the Rio Grande enters into Mexico near El Paso. The valley is very narrow there, and the population is very sparse. We will probably instruct the officer who commands in New Mexico (General Hatch) to garrison El Paso or Fort Quitman. The recent trouble about the salt-wells in that neighborhood was a local question, having no connection at all with horse-stealing or raiding. It was merely a question as to the right of property in some salt-ponds which the people have been heretofore able to use free and without paying for it, but now some persons have acquired a claim to them under a title from the railroad company, and they collect a tax for the use of the salt. The people are not willing to pay for salt which they have been from time immemorial able to get without payment. That, I understand, was the origin of that difficulty. That local trouble is entirely disconnected with the Texas troubles. It was with a different people,



having a different cause and a different result. This strip of country (indicating on the map), which is called the "Sierra desconocida," or the unknown country, is a belt of separation between the Mexican States of Coahuila and Chihuahua, and prolonged northward becomes the Staked Plain of Texas.

Mr. WHITE. And you do not suggest any new post there?

General SHERMAN. No, sir.

Mr. WHITE. You stated in reply to Mr. McCook that no troops can be withdrawn from any other section of the country without injury to the service. I see by the report of the Secretary of War that there are several hundred troops stationed at Fort McHenry. What service would be especially injured by reducing that post?

General SHERMAN. Fort McHenry is an old fort, where is accumulated a great deal of property. It is an artillery station, where we keep a garrison, and where we have been keeping a garrison ever since the war of 1812, for the protection of public property, and in order to familiarize the men with the use of heavy artillery. We must keep a nucleus at all these artillery stations for instruction of the men and for the protection of government property.

Mr. BRAGG. Are there 400 men there?

General SHERMAN. No, sir; nothing like it. There are three companies, consisting of 134 men.

Mr. BRAGG. How many men are there at Fort Schuyler?

General SHERMAN. One company of 32 men.

Mr. BRAGG. How many are there at Fortress Monroe?

General SHERMAN. There are five companies there. That is a school for instruction for artillery, and consists of one company from each regiment. The companies now there are Company G, First Artillery, 45 men; Company K, Second Artillery, 46 men; Company A, Third Artillery, 47 men; Company I, Fourth Artillery, 48 men; Company C, Fifth Artillery, 47 men.

Mr. BRAGG. How many are there at Fort Gratiot?

General SHERMAN. One company of 32 men. These reports vary every week, chiefly by discharges, deaths, &c. The report from which I give these figures is compiled from returns received up to November 15.

Mr. BRAGG. How many men are there at Carlisle Barracks?

General SHERMAN. There are five companies of Second Artillery, temporarily. Most of the troops stationed in Pennsylvania last summer have been ordered back to their respective posts. As soon as the governor notified us that he no longer wanted troops, they were ordered back to their respective posts. The public property at Carlisle consists chiefly of buildings, but there are no cannon, shot, or powder; there are none of the stores that are usually called warlike stores. Therefore a military guard is unnecessary. A single keeper, hired by the quartermaster, is quite enough. I think that the place should have been sold long ago.

Mr. MILLS. Why have not the cavalry regiments been recruited up to the maximum authorized by law?

General SHERMAN. *It is very difficult to keep up a regiment to its full legal standard. The law only requires such regiments as are in Texas to be recruited to their full extent.*

Mr. MILLS. The Army bill of two years ago authorized all the cavalry regiments to be kept up to the maximum standard.

General SHERMAN. We cannot do it, because there is no money to recruit with.

Mr. MILLS. Then it is from the want of money?



General SHERMAN. Yes, sir; the infantry has done as good if not better work this summer than the cavalry.

Mr. MILLS. That is when regular battles were fought?

General SHERMAN. We have to fight regular battles.

Mr. MILLS. But in a predatory warfare, you want cavalry?

General SHERMAN. That is true.

Mr. THROCKMORTON. In a rough country is not the infantry likely to be better than cavalry?

General SHERMAN. That has been my experience. In all armies in the world the infantry compose about three-fourths of the whole force. It is cheaper and better in a woody or rough country.

Adjourned till to-morrow.

COMMITTEE ON MILITARY AFFAIRS,  
*Washington, D. C., November 23, 1877.*

General SHERMAN again appeared before the committee.

Mr. CLARK. Of these depredations that have been committed in Texas, what proportion, in your judgment, were committed by outlaws living in Texas, and what proportion by persons from the Mexican side of the line?

General SHERMAN. I doubt very much whether I can give an answer to that question that would be of any value. It is a mere guess; but I think that the majority of these parties come from the Mexican side.

Mr. CLARK. In your opinion, do those marauders come over from Mexico in such force and number as to amount to a war of invasion?

General SHERMAN. No, sir.

Mr. CLARK. They are nothing more than horse and cattle thieves?

General SHERMAN. Thieving is their chief object.

Mr. CLARK. You spoke yesterday of some one having stated in the House of Representatives that a couple of companies of troops were stationed here.

General SHERMAN. I said that some member of Congress had stated on the floor of the House, in debate, that there were two regiments stationed here in Washington City, and I said I was astonished that no member of your committee had denied the statement on the spot, because there is only one company here, about one-twentieth of the force stated, and that one is a very small company, hardly sufficient to guard the public property. There are no two regiments stationed in Washington, and there never have been since I have been here. The highest point we ever got the garrison up to was six companies, and at present, as I have said, there is but one company, which is guarding the public property at the arsenal.

Mr. CLARK. Does the statement which you had here yesterday, giving the aggregate strength of the Army, show its aggregate strength on the 15th of November, 1877?

General SHERMAN. It shows the aggregate of the enlisted men of the Army, from official reports received up to the 15th of November, some of which reports may be dated five or six weeks back, because it takes five or six weeks to hear from Arizona and the interior of Oregon, and other remote points. The statement has been made up from the latest reports received, but the number is really less than that now, because the deaths and discharges occurring since the dates of the reports are to be deducted.

Mr. CLARK. Do you remember what is the aggregate of the Army, according to that statement?

General SHERMAN. According to that statement the aggregate was 22,291 enlisted men, embracing the signal detachments and all the other detachments of every nature and kind. At that date the regiments of cavalry, artillery, and infantry, with 582 Indian scouts employed on the frontiers, amounted to 19,687 men.

Mr. CLARK. What difference do you suppose there is between the actual strength at this time and the strength there given?

General SHERMAN. I should suppose that 200 would cover the discharges and deaths that have occurred in the interval since these reports were made.

Mr. CLARK. You stated that there were troops stationed in Texas for the benefit or for the protection of cattle-raisers, not along the frontier, but at other points. Can you state how many troops are stationed in Texas, not along the Mexican frontier, but at these other points, for the protection of cattle-raisers?

General SHERMAN. No; I can give you the exact number of soldiers at each of the posts along here [indicating on the map], which is called the Indian frontier; these posts were originally designed, and are still designed, to protect the settlements against the raids of Indians from the Staked Plains, but incidentally they have afforded protection to *rancheros* who raise cattle and horses, and who are very much benefited by the presence of the troops at these posts. But the object in putting the troops there was not so much to protect the cattle-raisers as to protect the settlements; Fort McKavett is a case in point, and Fort Concho and Fort Richardson are cases well in point; around about those posts have grown up settlements of great value.

Mr. CLARK. Does that 19,687 men include what are called non-combatants?

General SHERMAN. No, sir.

Mr. CLARK. How many are there of those?

General SHERMAN. The difference between 19,687 and 22,226, which is 2,539.

Mr. CLARK. Can you tell how many troops are stationed in States where the people are not in danger from either Indian or Mexican raids?

General SHERMAN. That would require a good deal of calculation. We have public property along the Lakes and along the Gulf, along the Atlantic coast, and also along the Pacific coast where there is probably no immediate danger of Indians, but there is an immense quantity of public property, belonging to the Army and to other departments of the government, which has to be taken care of and guarded against theft and decay. There are our forts and other property; for instance, there are immense quantities of powder and shot, which ought not to be left exposed to theft, or unguarded.

Mr. CLARK. The troops you speak of are stationed mostly along the Atlantic coast?

General SHERMAN. Along the Atlantic and the Pacific coasts, and along the Lakes and the Gulf. We have posts at Pensacola, and near Mobile, and at the mouth of the Mississippi River, where there is public property, and we have posts at Tortugas and Key West, which are points of rendezvous for vessels.

Mr. CLARK. You have spoken of eleven murders which have been committed on the frontier within the past year; is it probable, in your judgment, that if our force had been augmented on the line between

Texas and Mexico where these murders were committed, they would have occurred at the times and places where they did occur?

General SHERMAN. No; I think that if we had had an increased force there, these murders might have been prevented, by foresight.

Mr. BRAGG. In looking over the statement of the disposition of the troops, I notice that the Thirteenth Infantry seems to be located in Louisiana and Georgia, principally.

General SHERMAN. Principally in Louisiana. We have detachments at Little Rock, at Baton Rouge, and at Lake Charles, where they are assisting the revenue officers in the matter of timber-stealing.

Mr. BRAGG. There are about 300 troops stationed down there?

General SHERMAN. In the whole of that department 357.

Mr. BRAGG. What military service proper are they performing there?

General SHERMAN. A good deal. They are guarding the public property. Some of these troops have been up in Pennsylvania this summer, at Scranton; others have been out in the swamps trying to assist the United States officers to collect the revenues of the United States.

Mr. BRAGG. The very fact that they could be spared from there to go to Pennsylvania shows that there is no necessity for keeping them there, does it not?

General SHERMAN. You may so argue; I do not. You must always have some troops available, and you naturally place them where chances of their being needed are greatest. Now the chances of the troops being needed in Louisiana are greatest, in the judgment of the President, and he can move them from there when he pleases.

Mr. BRAGG. I am asking for *your* judgment in regard to the military necessity, not the President's.

General SHERMAN. In my judgment, there ought to be a regiment always in New Orleans.

Mr. BRAGG. For what purpose?

General SHERMAN. For the purpose of protecting the government property.

Mr. BRAGG. From whom?

General SHERMAN. From thieves and other desperate and bad men. I do not refer to politicians now; I refer to bad men—thieves and robbers. They would "clean out" our public property there in three weeks if we should withdraw the troops.

Mr. BRAGG. That would depend a good deal upon the action of the civil power, would it not?

General SHERMAN. The civil power gives us very little assistance in guarding United States property. They look upon us as able to take care of our own.

Mr. BRAGG. Does that not arise in consequence of what they have deemed an infringement of their rights by the military power?

General SHERMAN. They have never complained to us of any such infringement of their rights; but, on the contrary, they have frequently appealed to us to help them to discharge *their* duties.

Mr. BRAGG. Haven't they been so situated for some time that it would not have been safe to complain of the military power?

General SHERMAN. Not at all. This country is very free in the matter of talk, I can tell you.

Mr. BRAGG. It is when you get away from the seat of the difficulty.

General SHERMAN. Even in 1842 the government had to send troops to New Orleans to suppress riots—the Third Artillery.

Mr. BRAGG. Where is the Eighteenth Infantry?

General SHERMAN. At Atlanta, Chattanooga, and Newport Barracks.

Mr. BRAGG. Principally at Atlanta, is it not?

General SHERMAN. Yes.

Mr. BRAGG. What service are those troops performing there?

General SHERMAN. They were recently in Pennsylvania and elsewhere, but they have returned to Atlanta. It is a convenient central point, with railroads leading to the sea-coast in several directions. Troops can be readily transported from there to Charleston, Savannah, or Pensacola. Then, too, it is a place where the government owns the barracks, so that it is a cheap place to keep the troops, and the people want them there. That is the only regiment in that whole region of country.

Mr. BRAGG. About how many men are there in it?

General SHERMAN. About 375.

Mr. BRAGG. Not a sufficient force to resist any general uprising of the people?

General SHERMAN. Certainly not. It is a mere corporal's guard compared with what we used during the war.

Mr. BRAGG. Then, for military purposes, those men are comparatively worthless?

General SHERMAN. No, sir; not worthless; they are worth 375 men.

Mr. BRAGG. That force would not be worth much for military purposes?

General SHERMAN. Not against civil war or invasion; but it would do very well to throw into Mobile or Savannah in case of an emergency.

Mr. BRAGG. Then the necessity for keeping troops at Atlanta depends, as I understand you, upon the theory that somebody is going to attack the government at some other point?

General SHERMAN. Some foreign nation might invade our territory.

Mr. BRAGG. In that case, 300 men would not be of much account.

General SHERMAN. Yes; we could guard Mobile against England with 300 men.

Mr. BRAGG. The usefulness of that force against an enemy would depend upon whether the enemy let you choose the point of attack. How many of those men were withdrawn from Atlanta to Pennsylvania?

General SHERMAN. Six companies, I think.

Mr. BRAGG. That was the great bulk of the force?

General SHERMAN. Yes.

Mr. BRAGG. If those that remained were sufficient, why might not those six companies be used elsewhere?

General SHERMAN. You are a soldier, I believe, and you know what a *reserve* means. They are a reserve.

Mr. BRAGG. Yes; but for the purpose of protecting Texas against Indian or Mexican raids, a reserve stationed at Atlanta is not, in my judgment, sufficiently near to the line of operations.

General SHERMAN. There are other dangers besides those in Texas.

Mr. BRAGG. I think there are about 200 men at Carlisle Barracks?

General SHERMAN. There may be a company there. They are subject to General Hancock's orders. [Refers to a report.] There seem to be five companies, according to this report; they were put there for economy, I suppose. I instructed General Hancock that as soon as the governor of Pennsylvania notified him that the troops were no longer needed he should dispose of them in quarters belonging to the United States, so as to make the expense either, for transportation or quarters, as light as possible, and therefore, I suppose, he has used temporarily for that purpose the public buildings at Carlisle; the government owns the buildings there.

Mr. BRAGG. They have been abandoned for a good while, have they not?

General SHERMAN. Yes; for there has been no occasion for troops at Carlisle. Those troops now there belong on the sea-coast, but, as I have suggested, General Hancock put them at Carlisle for economy.

The CHAIRMAN. How many troops are there in South Carolina?

General SHERMAN. There are three companies of the Fifth Artillery in Charleston. They are the garrison for Charleston Harbor, for Fort Moultrie, and Fort Sumter when repaired. They are Companies E, F, and I, and nineteen non-commissioned staff, making a total of 153 men. The troops at Charleston are the only troops in South Carolina.

The CHAIRMAN. Are there not between six and seven thousand troops now stationed inside of States other than those which are subject to Indian or Mexican raids, including the "extra-duty men"?

General SHERMAN. I make the number about 4,000 altogether. The "extra-duty men" are all with their respective regiments and companies; they are simply employed in doing certain work which, by the laws of Congress, entitles them to a little extra pay, but they carry their muskets, are mustered, and are present with their companies for duty. The troops serving outside of what we may call the Indian and Mexican country are five regiments of artillery and three of infantry. The five artillery regiments are employed along the seaboard, occupying fortifications, and performing their appropriate duties of artillerists according to the laws of the United States. There are three regiments of infantry—one on the lakes, one in the Department of the South, and one in the Department of the Gulf.

Mr. BRAGG. Does this number include the 2,313 artillery-men who are stationed, as you say, along the coast?

General SHERMAN. Yes. Those artillerists, with the three regiments of infantry, make up the 4,000, as I call it in round numbers.

Mr. BRAGG. Does that 4,000 include the ordnance?

General SHERMAN. No, sir; nor the signal detachments, nor the engineers, nor the general-service men at the War Department and at the division and department headquarters; nor the West Point detachment, nor the hospital stewards, nor the ordnance sergeants, commissary sergeants, and permanent recruiting parties.

Mr. BRAGG. The permanent recruiting parties do not amount to much?

General SHERMAN. Three companies. The engineer battalion numbers 198; permanent recruiting parties, music boys, &c., 472; general-service men on duty as clerks at the War Department and headquarters, 345; ordnance detachments, 389; West Point detachment, 189; prison-guard at Fort Leavenworth prison, 74; hospital stewards, 183; some of whom I understand are making up pension-rolls under your direction; ordnance sergeants, 114; commissary sergeants, 146; signal detachments, 405. All these are included in the aggregate 22,291; but they are excluded from the 4,000 now serving outside of the dangerous country.

The CHAIRMAN. In the report furnished to the House there are 1,611 "miscellaneous men" mentioned; are they embraced in the figures you have stated outside of the engineers and the ordnance?

General SHERMAN. They are.

Mr. MARSH. It was stated in the House that there were 600 men detailed on duty here in Washington, and it was suggested that they ought to be out on the frontier where the danger is; please state how many men are detailed from their regiments in Washington, on what



duty they are detained, and what is the necessity or propriety of their being here?

General SHERMAN. I am unable to give the exact number of the general-service men in the bureaus of the War Department and at Army Headquarters. The entire number of general-service men is stated in this report as 345, but many of these are at the division and department headquarters. I should suppose, however, that there are about 250 men in the War Department, called soldiers, but employed as clerks. They are the men who make up these papers which you members of Congress are calling for all the time, and I have no doubt that they work double as hard as any other men in the service of the government for the same pay.

Mr. MARSH. What is the propriety of detailing those soldiers to act in that capacity, instead of employing clerks?

General SHERMAN. It is done under a law of Congress, and you gentlemen, I suppose, ought to give the reason for it better than I can. You do it, I suppose, to save money; and because you can hire them cheaper as soldiers than as clerks.

Mr. MARSH. In other words, it is done in the interest of economy?

General SHERMAN. In the interest of economy. There are some hospital-stewards who, I am told, are employed in overhauling the old muster-rolls of the war so as to check off pension-claims. They, also, are so employed in the interest of economy, as you get them much cheaper in that way than if you called them first or second or third class clerks. There may be a half-dozen ordnance men down at the arsenal who are embraced in the 359 ordnance enlisted men classed as soldiers but whom we generals never see. Those men are employed as laborers at the several arsenals, and the number at the Washington arsenal, which is a small one, is probably not more than eight or ten. I do not believe that the actual number of enlisted men of all kinds in Washington exceeds 400.

Mr. McCook. General Sherman, is not the United States divided, for military purposes, into three great divisions?

General SHERMAN. Yes.

Mr. McCook. The Military Division of the Atlantic includes all that portion of the United States which lies east of the Mississippi River and also the State of Arkansas?

General SHERMAN. Yes; it includes Louisiana and Arkansas, and then the line runs to the Mississippi and follows up the eastern boundary of Illinois, and includes Wisconsin and all east of it.

Mr. McCook. In that Military Division of the Atlantic, in addition to the artillery regiments stationed along the sea-coast, there are but three infantry regiments, I understand?

General SHERMAN. Only three.

Mr. McCook. There are but two infantry regiments stationed in the Southern States lately in insurrection?

General SHERMAN. Yes.

Mr. McCook. Aggregating about a thousand men?

General SHERMAN. No; not so much. The Eighteenth Infantry has 365 men and the Thirteenth 357 men. That includes the whole of the enlisted men on their rolls, present and absent, sick and well—all.

Mr. BRAGG. I understand you to say that this employment of soldiers in the departments is on the ground of economy; how long has it prevailed?

General SHERMAN. I suppose about twenty years. It prevailed



through the war, certainly, and back beyond my experience or recollection.

Mr. BRAGG. Is it not a fact that the practice originated from the idea entertained by some people that while they wished to be military men they would prefer to serve at home rather than go to the front?

General SHERMAN. That I can't say. I think that most of the men now employed in the War Department as clerks are men who served and made an honorable record during the war and who are now employed by reason of that service. During the war, I suppose that wounded men, and some others who did not feel inclined to go to the front, did get employment here; but since the war I know that every Secretary of War with whom I have come in contact has manifested an earnest desire to employ soldiers having a good record.

Mr. BRAGG. Certainly; but you must concede that in the multiplicity of affairs requiring his attention the Secretary of War often knows very little about the clerks.

General SHERMAN. Yes; but generally at the beginning, in employing new men, he looks into their record.

Mr. BRAGG. Do those men receive nothing besides their pay as soldiers?

General SHERMAN. Pay and allowances.

Mr. BRAGG. Don't they receive more than that?

General SHERMAN. No; they can't.

Mr. BRAGG. What are the allowances besides clothes and rations to a private soldier?

General SHERMAN. There is some commutation for quarters. I think their pay amounts to about \$62 a month; and for that class of labor you pay clerks \$100 a month.

The Secretary of War here suggested to General Sherman that the pay of these men amounted to about \$80 a month.

General SHERMAN. I may be mistaken; I have only two in my office, and I understood them to say that they got about \$62 a month.

Mr. BRAGG. Can you state whether a system prevails of detailing soldiers for servants to officers?

General SHERMAN. No, indeed; it is prohibited by law.

The CHAIRMAN. You have already stated that if the regiments on the Texas frontier were filled up, that would give a force sufficient for the military protection of that frontier?

General SHERMAN. With the addition of two regiments of infantry; and I think I would substitute another regiment of cavalry for one that is there. I want to have, on the whole, a force of 4,000, and to make up that 4,000 I would take two regiments of cavalry and four of infantry, estimating the cavalry regiments at a thousand men each, and the infantry regiments at 500 men each; and I do think that it would be wise to withdraw one of those cavalry regiments and put another in its place, still leaving two cavalry regiments in Texas.

The CHAIRMAN. Why do you think that desirable?

General SHERMAN. Because it would give us a certain commanding officer there who would secure peace and quiet by his very presence. We have one or more such officers who are well known to the whole people of Texas. I will state the regiment—the Fourth Cavalry. General Mackenzie is a man of untiring energy, and the Texas people always want him there; they have applied for him there again and again, but he has been employed on the northern frontier, and, in my judgment, he has accomplished as much good there as he could have done elsewhere, by keeping the Kiowas and Comanches from raiding. His pres-

ence would be very satisfactory to the people of Texas, which, I think, is a very important consideration.

The CHAIRMAN. As I understood you, you stated that there were something over 2,000 troops in the infantry and cavalry regiments now there?

General SHERMAN. I think the exact number is 1,952 on the Rio Grande frontier.

The CHAIRMAN. Now, we find that we have in States that are not subject to raids from Indians or Mexicans about 4,000 troops; might not the additional force which you think necessary to protect the Texas frontier be taken from those States with safety?

General SHERMAN. I shall submit that proposition to the Secretary of War, and he will judge as to what regiments can best be sent to that frontier as soon as our appropriation for transportation is available. Thus far we have had no money to transport troops, and we have been very slow to make any orders involving expense. I have already spoken to the Secretary of War about three or four matters connected with this general subject, but I would not deem it prudent to speak of them in this committee until we have concluded what is best to be done. But even the transfer of the two regiments which are now in the South would necessitate their being filled up in order to carry out my idea. If they were transferred with merely their present force it would give us only 750 men to a regiment instead of a thousand; but, as the appropriation bill enables us now to fill up our regiments, we will proceed to recruit those regiments as fully as we can within the general limit of 25,000, which hangs over us like a cloud.

The CHAIRMAN. The point that I wanted to reach by my question was this: whether this number of troops which you think necessary for the protection of that Texas frontier might not be taken from the 4,000 troops now stationed in States which are not subject to raids by Mexicans or by Indians.

General SHERMAN. Yes; but to leave the public property guarded by only the remaining number of men would compel us to abandon much of it to danger from theft or deterioration by the elements.

Mr. McCook. You would have to strip all the forts along the sea-coast?

General SHERMAN. Not all of them, but most of them.

The CHAIRMAN. If two thousand troops were taken away to re-enforce the Texas frontier, it would leave still within these States, which are not subject to raids, two thousand men, would it not?

General SHERMAN. Yes; which is less by 2,000 than were stationed there in 1861. Ever since the organization of the government there has always been a guard at the military stations, forts, and arsenals along the Atlantic and the Gulf.

The CHAIRMAN. In 1861 the Texas frontier and the entire Indian frontier were protected by less than 10,000.

General SHERMAN. Yes; and we did not have one-tenth as much frontier then—no; not one-twentieth as much as we have now.

Mr. BRAGG. Of what earthly use is that squad at Willets Point?

General SHERMAN. They are engaged in studying and putting in practice the knowledge of pontooning and torpedoes, which are now coming into vogue all the world over. They are engineer troops, not subject to my orders, but they are employed by the Government of the United States and paid as soldiers, and I certainly will not be the one to say that the knowledge they are acquiring and putting into practice there is not most valuable; it is very valuable.

Mr. BRAGG. What is your idea as to the necessity or propriety of

maintaining a camp of instruction at some point, instead of keeping up general recruiting stations where recruits are retained for any length of time ?

General SHERMAN. It would be very wise for our government to do as all other civilized governments now do, instruct their men in the use of a musket before sending them into the presence of an enemy. During the past three or four years we have enlisted some men who are foreigners who hardly knew how to speak our language at all or how to handle a musket or ride a horse, and have pushed them off to the frontier to be killed.

Mr. BRAGG. Is it not true that you can do very much more in a short time in the way of instructing infantry than cavalry ?

General SHERMAN. Yes, sir ; we can make a recruit into an infantryman in probably four or six months.

Mr. BRAGG. Can you make a cavalryman in that time ?

General SHERMAN. No ; you cannot make a cavalryman in less than a year. In Europe they give one year to training infantry, and two years to cavalrymen, before putting them into line for battle.

Mr. BRAGG. Then it is your opinion that, for the purpose of keeping our army full, even at the moderate limit now fixed, a camp of instruction should be maintained somewhere, both for infantry and cavalry ?

General SHERMAN. Yes ; it would be wise ; but with our present limited force we cannot afford it ; we cannot afford to keep the men away from their depleted regiments serving on the frontier.

Mr. BRAGG. Have we not enough supernumerary and non-commissioned officers to discharge the duties of instructors at camps of instruction ?

General SHERMAN. Yes.

Mr. BRAGG. Could it not be so organized that those officers, with the men under instruction, would act as guards for this public property you speak of ?

General SHERMAN. No. A school of instruction would be at *one* point, while the public property is scattered at a hundred different points.

Mr. BRAGG. But is there any need for having the property so widely distributed ?

General SHERMAN. It has always been, and I suppose it always will be so. I, myself, am theoretically in favor of concentrating our arsenals, and our forts, and our troops, but we cannot do it with the regiments that are serving on the frontiers constantly requiring reinforcement, and with appeals coming to us for detachments on the frontiers, which must be responded to like the cry of a drowning man for help.

Mr. BRAGG. But is there any real necessity for keeping two or three companies to protect some old fort which is quite worthless, simply because it was useful some time ago ?

General SHERMAN. Mention a case and I can give you my opinion.

Mr. BRAGG. Fort Gratiot.

General SHERMAN. That might be of great value in a certain contingency—a war with England, for instance.

Mr. BRAGG. Has it any strength which would make it of any account if England really contemplated a serious invasion ?

General SHERMAN. Yes, it has considerable strength ; enough to prevent a sudden raid, and its strength could be easily increased by means of those sand-hills round about it, which in a single night might be shaped into batteries, the present fort serving as the nucleus and magazine.

Mr. BRAGG. If it depends for its strength upon the sand-hills, would not the sand-hills alone do just as well?

General SHERMAN. No. A nucleus is always of very great importance. You must have some shelter for your stores, and by having that nucleus you could enlarge the fort, throw in volunteers, and make it impregnable.

Mr. BRAGG. Then you count on volunteers?

General SHERMAN. Certainly; I always do.

Mr. BRAGG. If you have to depend on volunteers for the defense of the fort, why not depend on them altogether?

General SHERMAN. Well, I have always found volunteers mighty glad to have a nucleus prepared for them, something to eat, and something to drink and something to shoot with; and that is what we keep at these forts.

Mr. BRAGG. How about Fort Mackinaw?

General SHERMAN. Mackinaw is public property, and you may surrender it to the people whenever you please. That is for Congress to do; we cannot surrender it, once it is placed under our control.

Mr. MAISH. Do I understand, General Sherman, that you recommend the surrender of Fort Mackinaw?

General SHERMAN. Yes, I would; I am anxious to give up a great many of our little forts and concentrate on the larger ones.

Mr. BRAGG. How about Madison Barracks, New York?

General SHERMAN. That is in Sacket's Harbor; it is a large property; it would be useful in a war with England, as it looks over directly toward Canada; but it is only in that event that it would be useful.

Mr. BRAGG. What of Plattsburg?

General SHERMAN. Plattsburg is in the same position. There was an old fort there, now a barracks, and so we keep some troops there.

Mr. BRAGG. That is, you use these old forts because you have them, but if it were an original question you would not construct them?

General SHERMAN. No, sir; I would not.

Mr. BRAGG. Well, does not that consideration alone settle the question?

General SHERMAN. Plattsburg is near enough to the English border to be of importance, so that if we did not have troops at Plattsburg, we would probably have them on the boundary-line at or near the outlet of Lake Champlain.

Mr. McCook. You have been asked something about Willets Point; that is a portion of the defenses of New York Harbor, is it not?

General SHERMAN. Yes; it is on the eastern entrance of New York Harbor. On the one hand we have Fort Schuyler, occupied by one company of artillery, and on the opposite shore there is an unfinished fort not yet named, which is occupied by four small companies of engineer troops undergoing instruction in the use of torpedoes.

Mr. McCook. In the present condition of the art of war, wouldn't we have to depend very largely for the protection of our harbors upon the torpedo practice of our troops in the event of a war with any great naval power?

General SHERMAN. Torpedoes in connection with forts are now universally accepted as the mode of defending harbors against a sudden dash of an iron-clad fleet; and the art of using torpedoes has been brought at Willets Point to a higher degree of perfection than I have read of in any of the scientific journals of Europe.

Some of you gentlemen asked me about specific cases of citizens of Texas having been killed in Texas by Mexican raiders. I refer you to the report of the Secretary of War for 1875, pages 99, 100, 101, 102, and

103, at the bottom especially, which give the names of persons who have been killed by Mexican raiders, and the dates. I also submit a report which embodies some cases which have occurred within the last year.

The examination of General Sherman was here suspended.  
The following is the report last mentioned :

*Memoranda relative to murders committed in Texas by armed marauders from Mexico, as shown by reports on file in the office of the Adjutant General.*

Office-mark.	Number and names of persons killed.	When and where.	Remarks.
1753, A. G. O., 1875.	Three men (names not given)	At and near Nueces, March 26, 1875.	By Mexicans, when post-office at that place was robbed and burned.
1798, A. G. O., 1875.	Two men: Mr. Fulton, a justice of the peace, and his clerk.	On his ranch, near Edinburg, Tex., in February, 1875.	By Mexican marauders.
*1616, A. G. O., 1877.	Seventeen men (names not given).	In the district of the Nueces, between October 1, 1876, and March 9, 1877.	Official report of commanding officer, district of Nueces, forwarded by General Ord.
*3759, A. G. O., 1875.	Two men: Messrs. Hill and Lovell, stock-raisers.	May, 1875, near Ringgold Barracks, Texas.	Reported by Colonel Hatch, remarking, "many Americans are being killed or leaving the country."
7316, A. G. O., 1877.	Nine men: John Welder and John Matton. F. G. Flores and his son..... Joseph Miller and a boy .... Two Americans (names not given). Lee Rabb.....	Near Saint Mary's, Refugio County, May 15, 1877. Near San Diego, Tex., May 25, 1877. On his ranch, Nueces County, July 5, 1877. At Las Animas, Duval County, August 26, 1877. At Petronilla, Nueces County, July 25, 1877.	Reported by the county attorney, Nueces County, Texas. Report forwarded from headquarters Department of Texas.

\* In April, 1875, a dispatch was received at Army Headquarters (Saint Louis, Mo.) reporting that the country between Corpus Christi and the Rio Grande was full of armed marauders from Mexico, and that "five ranches had been burned and several people killed." Other reports on file in the Adjutant-General's office speak in general terms of outrages, robberies, &c., by Mexicans in Texas, without specifying any particular "murders."

*Statement showing the organization of the enlisted men of the Regular Army, compiled from returns received at the Adjutant-General's Office up to November 15, 1877.*

FIRST REGIMENT OF CAVALRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Aug. 31, 1877	Fort Walla-Walla, Wash.
Non-commissioned staff and band.....	17	do	Do.
A.....	61	do	Camp Harney, Oreg.
B.....	57	June 30, 1877	Fort Klamath, Oreg.
C.....	59	do	Camp Bidwell, Cal.
D.....	65	Aug. 31, 1877	Presidio, San Francisco, Cal.
E.....	57	do	Fort Walla-Walla, Wash.
F.....	49	do	Do.
G.....	65	Oct. 31, 1877	Fort Boise, Idaho.
H.....	48	Aug. 31, 1877	Fort Lapwai, Idaho.
I.....	55	June 30, 1877	Camp Halleck, Nev.
K.....	52	do	Camp Harney, Oreg.
L.....	63	Aug. 31, 1877	Fort Walla-Walla, Wash.
M.....	48	do	Fort Colville, Wash. Ter.
Recruits.....	8		45 left San Francisco July —, 1877, (37 joined.)
Do.....	21		Left San Francisco August —, 1877.
Total.....	725		
Authorized strength.....	845*		

\* Non-commissioned staff 5; companies 70 each.



Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

## SECOND REGIMENT OF CAVALRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Aug. 31, 1877	Fort Custer, Mont.
Non-commissioned staff and band.....		do	Do.
A.....	29	do	Do.
B.....	68	do	Do.
C.....	73	do	Do.
D.....	83	do	Do.
E.....	67	do	Do.
F.....	62	do	Do.
G.....	77	do	Fort Ellis, Mont.
H.....	74	do	Do.
I.....	80	June 30, 1877	Do.
J.....	67	Aug. 31, 1877	Fort Custer, Mont.
K.....	68	do	Do.
L.....	79	do	Fort Ellis, Mont.
M.....	82	do	Fort Custer, Mont.
Total.....	902		
Authorized strength.....	1,202*		

\*Non-commissioned staff 2; companies 100 each.

## THIRD REGIMENT OF CAVALRY.

Headquarters.....		Oct. 31, 1877	Fort Laramie, Wyo.
Non-commissioned staff and band.....		do	Do.
A.....	15	do	Do.
B.....	69	do	Do.
C.....	61	do	Do.
D.....	64	do	Camp Robinson, Neb.
E.....	62	do	Fort Sanders, Wyo.
F.....	75	Aug. 31, 1877	New Red Cloud Agency, Dak.
G.....	70	do	Fort Laramie, Wyo.
H.....	74	Oct. 31, 1877	Camp Sheridan, Neb.
I.....	70	Aug. 31, 1877	New Spotted Tail Agency, Dak.
J.....	38	Oct. 31, 1877	Fort Fetterman, Wyo.
K.....	62	do	Fort Laramie, Wyo.
L.....	97	Aug. 31, 1877	New Red Cloud Agency, Dak.
M.....	71	do	New Spotted Tail Agency, Dak.
Total.....	817		
Authorized strength.....	1,202		

## FOURTH REGIMENT OF CAVALRY.

Headquarters.....		Oct. 31, 1877	Fort Sill, Ind. T.
Non-commissioned staff and band.....		do	Do.
A.....	20	do	Do.
B.....	73	do	Do.
C.....	62	Aug. 31, 1877	Fort Elliott, Tex.
D.....	70	Oct. 31, 1877	Fort Sill, Ind. T.
E.....	61	do	Do.
F.....	58	do	Fort Wallace, Kans.
G.....	60	Aug. 31, 1877	Fort Elliott, Tex.
H.....	69	Oct. 31, 1877	Fort Reno, Ind. T.
I.....	78	do	Do.
J.....	56	do	Camp Supply, Ind. T.
K.....	76	do	Fort Sill, Ind. T.
L.....	78	do	Do.
M.....	68	do	Do.
Total.....	829		
Authorized strength.....	1,202		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

FIFTH REGIMENT OF CAVALRY.

Companies, &c.	Enlisted men Present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Fort D. A. Russell, Wyo.
Non-commissioned staff and band.....	19	do.....	Do.
A.....	74	dd.....	Do.
B.....	75	do.....	Do.
C.....	57	Aug. 31, 1877	Fort McKinney, Wyo.
D.....	67	Oct. 31, 1877	Sidney Barracks, Neb.
E.....	78	June 30, 1877	Fort McKinney, Wyo.
F.....	71	Aug. 31, 1877	Fort D. A. Russell, Wyo.
G.....	64	Oct. 31, 1877	Camp Brown, Wyo.
H.....	53	do.....	Fort D. A. Russell, Wyo.
I.....	61	do.....	Do.
K.....	84	do.....	Camp Brown, Wyo.
L.....	73	do.....	Fort McPherson, Neb.
M.....	57	Aug. 31, 1877	Fort McKinney, Neb.
Total.....	833		
Authorized strength.....	1,202		

SIXTH REGIMENT OF CAVALRY.

Headquarters.....		Aug. 31, 1877	Camp Grant, Ariz.
Non-commissioned staff and band.....	15	do.....	Do.
A.....	48	do.....	Camp Verde, Ariz.
B.....	64	do.....	Camp Lowell, Ariz.
C.....	51	do.....	Camp Grant, Ariz.
D.....	69	do.....	Camp Apache, Ariz.
E.....	55	do.....	Do.
F.....	59	do.....	Camp Thomas, Ariz.
G.....	50	do.....	Camp Grant, Ariz.
H.....	50	do.....	Camp Bowie, Ariz.
I.....	54	do.....	Camp McDowell, Ariz.
K.....	53	do.....	Fort Whipple, Ariz.
L.....	49	do.....	Camp Bowie, Ariz.
M.....	54	do.....	Camp Grant, Ariz.
Total.....	682		
Authorized strength.....	845		

SEVENTH REGIMENT OF CAVALRY.

Headquarters.....		Oct. 31, 1877	Fort A. Lincoln, Dak.
Non-commissioned staff and band.....	17	do.....	Do.
A.....	55	Aug. 31, 1877	Fort Rice, Dak.
B.....	65	do.....	Fort A. Lincoln, Dak.
C.....	78	do.....	Fort Totten, Dak.
D.....	59	do.....	Fort Rice, Dak.
E.....	83	do.....	Fort A. Lincoln, Dak.
F.....	83	do.....	Do.
G.....	81	do.....	Do.
H.....	66	June 30, 1877	Fort Rice, Dak.
I.....	90	Aug. 31, 1877	Fort A. Lincoln, Dak.
K.....	78	do.....	Do.
L.....	92	June 30, 1877	Do.
M.....	82	Aug. 31, 1877	Fort Rice, Dak.
Total.....	929		
Authorized strength.....	1,202		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

## EIGHTH REGIMENT OF CAVALRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Aug. 31, 1877	Fort Brown, Tex.
Non-commissioned staff and band.....	20	do.....	Do.
A.....	66	do.....	Fort Clark, Tex.
B.....	74	do.....	Do.
C.....	58	do.....	Fort Brown, Tex.
D.....	73	do.....	Do.
E.....	51	do.....	Ringgold Barracks, Tex.
F.....	64	do.....	Fort Clark, Tex.
G.....	55	do.....	Ringgold Barracks, Tex.
H.....	69	do.....	Do.
I.....	71	do.....	Fort Brown, Tex.
K.....	63	do.....	Fort Clark, Tex.
L.....	76	do.....	Fort Brown, Tex.
M.....	78	do.....	Do.
Total.....	818		
Authorized strength.....	1,202		

## NINTH REGIMENT OF CAVALRY.

Headquarters.....	.....	Oct. 31, 1877	Santa Fé, N. Mex.
Non-commissioned staff and band.....	20	do.....	Do.
A.....	23	Aug. 31, 1877	Fort Bayard, N. Mex.
B.....	33	do.....	Do.
C.....	40	do.....	Do.
D.....	28	do.....	Fort Union, N. Mex.
E.....	55	do.....	Do.
F.....	25	Oct. 31, 1877	Fort Stanton, N. Mex.
G.....	33	Aug. 31, 1877	Fort Bayard, N. Mex.
H.....	45	Oct. 31, 1877	Fort Stanton, N. Mex.
I.....	36	do.....	Fort Wingate, N. Mex.
K.....	39	do.....	Fort Garland, Colo.
L.....	38	Aug. 31, 1877	Fort Union, N. Mex.
M.....	38	do.....	Fort Stanton, N. Mex.
Total.....	453		
Authorized strength.....	845		

## TENTH REGIMENT OF CAVALRY.

Headquarters.....	.....	Oct. 31, 1877	Fort Concho, Tex.
Non-commissioned staff and band.....	35	do.....	Do.
A.....	72	do.....	Do.
B.....	71	do.....	Fort Duncan, Tex.
C.....	72	Aug. 31, 1877	Fort McKavett, Tex.
D.....	70	do.....	Fort Concho, Tex.
E.....	72	Oct. 31, 1877	San Felipe, Tex.
F.....	70	do.....	Fort Clark, Tex.
G.....	74	Aug. 31, 1877	Fort Griffin, Tex.
H.....	91	Oct. 31, 1877	Fort Davis, Tex.
I.....	76	do.....	Fort Richardson, Tex.
K.....	71	Aug. 31, 1877	Fort Clark, Tex.
L.....	74	do.....	Fort Concho, Tex.
M.....	78	do.....	Fort Clark, Tex.
Total.....	926		
Authorized strength.....	1,202		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

FIRST REGIMENT OF ARTILLERY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Fort Adams, R. I.
Non-commissioned staff and band.....	21	do	Do.
A.....	31	do	Fort Warren, Mass.
B.....	37	do	Fort Adams, R. I.
C.....	28	do	Fort Trumbull, Conn.
D.....	26	do	Fort Independence, Mass.
E.....	31	do	Fort Adams, R. I.
F.....	37	do	Do.
G.....	45	do	Fort Monroe, Va.
H.....	33	do	Fort Preble, Me.
I.....	29	do	Fort Warren, Mass.
Light battery K.....	62	do	Fort Adams, R. I.
L.....	34	do	Fort Independence, Mass.
M.....	28	do	Fort Trumbull, Conn.
Total.....	442		
Authorized strength.....	498		

\* Non-commissioned staff, 5; light battery, 65; artillery-school battery, 48; other batteries, 38.

SECOND REGIMENT OF ARTILLERY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Fort McHenry, Md.
Non-commissioned staff and band.....	20	do	Do.
Light battery A.....	62	do	Do.
B.....	37	do	Fort Foote, Md.
C.....	36	do	Fort Johnston, N. C.
D.....	35	do	Fort McHenry, Md.
E.....	31	do	Carlisle Barracks, Pa.
F.....	30	do	Do.
G.....	37	do	Do.
H.....	37	do	Fort McHenry, Md.
I.....	39	do	Washington, D. C.
K.....	46	do	Fort Monroe, Va.
L.....	37	do	Carlisle Barracks, Pa.
M.....	32	do	Do.
Total.....	479		
Authorized strength.....	498		

THIRD REGIMENT OF ARTILLERY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Fort Hamilton, New York Harbor.
Non-commissioned staff and band.....	19	do	Do.
A.....	47	do	Fort Monroe, Va.
B.....	38	do	Fort Niagara, N. Y.
Light battery C.....	65	do	Fort Hamilton, New York Harbor.
D.....	34	do	Do.
E.....	33	do	Fort Wadsworth, New York Harbor.
F.....	36	do	Fort Ontario, N. Y.
G.....	32	do	Fort Schuyler, New York Harbor.
H.....	35	do	Madison Barracks, N. Y.
I.....	34	do	Fort Wadsworth, New York Harbor.
K.....	36	do	Plattsburg Barracks, N. Y.
L.....	37	do	Fort Hamilton, New York Harbor.
M.....	37	do	Do.
Total.....	483		
Authorized strength.....	498		

Statement showing the organization of enlisted men of the Regular Army, &amp;c.—Continued.

## FOURTH REGIMENT OF ARTILLERY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters .....	-----	Oct. 31, 1877	Presidio, San Francisco, Cal.
Non-commissioned staff and band .....	23	.... do .....	Do.
A .....	34	June 30, 1877	Fort Townsend, Wash. Ter.
Light battery B .....	68	Oct. 31, 1877	Presidio, San Francisco, Cal.
C .....	29	June 30, 1877	Do.
D .....	34	.... do .....	Fort Canby, Wash. Ter.
E .....	27	.... do .....	Presidio, San Francisco, Cal.
F .....	37	Oct. 31, 1877	Point San José, Cal.
G .....	37	June 30, 1877	Fort Canby, Wash. Ter.
H .....	35	Aug. 31, 1877	Alcatraz Island, Cal.
I .....	48	Oct. 31, 1877	Fort Monroe, Va.
K .....	32	Aug. 31, 1877	Alcatraz Island, Cal.
L .....	27	.... do .....	Presidio, San Francisco, Cal.
M .....	32	.... do .....	Fort Stevens, Oreg.
Musicians .....	4	.....	Left Fort Columbus October 3, 1877.
Total .....	467		
Authorized strength .....	498		

## FIFTH REGIMENT OF ARTILLERY.

Headquarters .....	-----	Oct. 31, 1877	Charleston, S. C.
Non-commissioned staff and band .....	19	.... do .....	Do.
A .....	36	.... do .....	Saint Augustine, Fla.
B .....	27	.... do .....	Fort Barrancas, Fla.
C .....	47	.... do .....	Fort Monroe, Va.
D .....	36	.... do .....	Savannah, Ga.
E .....	37	.... do .....	Charleston, S. C.
Light battery F .....	59	.... do .....	Do.
G .....	22	.... do .....	Fort Brooke, Fla.
H .....	26	.... do .....	Do.
I .....	38	.... do .....	Charleston, S. C.
K .....	38	.... do .....	Saint Augustine, Fla.
L .....	29	.... do .....	Fort Barrancas, Fla.
M .....	24	.... do .....	Do.
Total .....	438		
Authorized strength .....	498		

## FIRST REGIMENT OF INFANTRY.

Headquarters .....	-----	Oct. 31, 1877	Fort Randall, Dak.
Non-commissioned staff and band .....	18	.... do .....	Do.
A .....	36	.... do .....	Do.
B .....	37	Aug. 31, 1877	Fort Sully, Dak.
C .....	33	Oct. 31, 1877	Fort Randall, Dak.
D .....	34	.... do .....	Lower Brulé agency, Dak.
E .....	36	.... do .....	Fort Randall, Dak.
F .....	36	.... do .....	Lower Brulé agency, Dak.
G .....	35	Aug. 31, 1877	Fort Sully, Dak.
H .....	37	.... do .....	Do.
I .....	36	Oct. 31, 1877	Fort Randall, Dak.
K .....	37	Aug. 31, 1877	Fort Sully, Dak.
Musicians .....	2	.....	Left Fort Columbus October 29, 1877.
Recruits .....	1	.....	Left Columbus Barracks November 1, 1877.
Total .....	378		
Authorized strength .....	*375		

\* Non-commissioned staff, 5; companies, 37 each.



Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

SECOND REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report	Station.
Headquarters.....		Aug. 31, 1877	Fort Lapwai, Idaho.
Non-commissioned staff and band.....	16	.....do.....	Do.
A.....	32	.....do.....	Do.
B.....	36	.....do.....	Do.
C.....	36	.....do.....	Do.
D.....	35	.....do.....	Do.
E.....	34	.....do.....	Do.
F.....	30	.....do.....	Do.
G.....	35	.....do.....	Do.
H.....	34	.....do.....	Do.
I.....	33	.....do.....	Do.
K.....	34	.....do.....	Do.
Recruits.....	6		Left Columbus Barracks October 4, 1877.
Do.....	2		Left Fort Columbus October 3, 1877.
Total.....	363		
Authorized strength.....	375		

THIRD REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report	Station.
Headquarters.....		Sept. 30, 1877	Helena, Montana.
Non-commissioned staff and band.....	20	.....do.....	Do.
A.....	29	.....do.....	Do.
B.....	33	.....do.....	Do.
C.....	34	.....do.....	Do.
D.....	25	.....do.....	Do.
E.....	33	.....do.....	Do.
F.....	35	.....do.....	Do.
G.....	36	.....do.....	Do.
H.....	34	.....do.....	Do.
I.....	26	.....do.....	Do.
K.....	35	.....do.....	Do.
Recruit.....	1		Left Columbus Barracks October 4, 1877.
Total.....	340		
Authorized strength.....	375		

FOURTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report	Station.
Headquarters.....		Oct. 31, 1877	Fort Bridger, Wyo.
Non-commissioned staff and band.....	20	.....do.....	Do.
A.....	35	.....do.....	Fort Fred Steels, Wyo.
B.....	36	Sept. 30, 1877	Fort McKinney, Wyo.
C.....	33	Oct. 31, 1877	Fort Fetterman, Wyo.
D.....	33	.....do.....	Omaha Barracks, Nebr.
E.....	35	Sept. 30, 1877	Fort McKinney, Wyo.
F.....	37	Oct. 31, 1877	Fort Sanders, Wyo.
G.....	36	.....do.....	Fort Bridger, Wyo.
H.....	33	Sept. 30, 1871	Camp Stambaugh, Wyo.
I.....	33	.....do.....	Fort McKinney, Wyo.
K.....	36	.....do.....	Fort Bridger, Wyo.
Recruits.....	6		8 recruits left Fort Columbus October 8, 1877 (2 joined)
Total.....	373		
Authorized strength.....	375		

## TEXAS BORDER TROUBLES.

Statement showing the organization of enlisted men of the Regular Army, &amp;c.—Continued.

## FIFTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Aug. 31, 1877	Fort Keogh, Montana.
Non-commissioned staff and band.....	17	do.....	Do.
A.....	34	do.....	Do.
B.....	38	do.....	Do.
C.....	37	do.....	Do.
D.....	33	do.....	Do.
E.....	38	do.....	Do.
F.....	38	do.....	Do.
G.....	38	do.....	Do.
H.....	35	do.....	Do.
I.....	36	do.....	Do.
K.....	36	do.....	Do.
Musicians.....	2		Left Fort Columbus October 29, 1877.
Recruits.....	5		Left Columbus Barracks November 1, 1877.
Total.....	387		
Authorized strength.....	375		

## SIXTH REGIMENT OF INFANTRY.

Headquarters.....		Aug. 31, 1877	Fort Buford, Dak.
Non-commissioned staff and band.....	21	do.....	Do.
A.....	37	Oct. 31, 1877	Fort Rice, Dak.
B.....	35	do.....	Fort A. Lincoln, Dak.
C.....	32	Aug. 31, 1877	Fort Buford, Dak.
D.....	30	do.....	Do.
E.....	28	do.....	Do.
F.....	31	do.....	Do.
G.....	35	do.....	Do.
H.....	30	do.....	Fort Stevenson, Dak.
I.....	30	do.....	Fort Buford, Dak.
K.....	35	Oct. 31, 1877	Fort Stevenson, Dak.
Recruits.....	6		Left Fort Columbus October 29, 1877.
Musicians.....	2		Left Columbus Barracks November 1, 1877.
Total.....	352		
Authorized strength.....	375		

## SEVENTH REGIMENT OF INFANTRY.

Headquarters.....		Aug. 31, 1877	Fort Shaw, Mont.
Non-commissioned staff and band.....	19	do.....	Do.
A.....	29	do.....	Do.
B.....	31	do.....	Do.
C.....	38	do.....	Fort Ellis, Mont.
D.....	23	do.....	Camp Baker, Mont.
E.....	24	do.....	Do.
F.....	29	do.....	Fort Benton, Mont.
G.....	27	do.....	Fort Shaw, Mont.
H.....	39	do.....	Do.
I.....	33	do.....	Do.
K.....	27	do.....	Do.
Total.....	319		
Authorized strength.....	375		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

EIGHTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Aug. 31, 1877	Prescott, Ariz.
Non-commissioned staff and band.....	20	do	Do.
A.....	25	do	Camp Verde, Ariz.
B.....	36	do	Do.
C.....	34	do	Camp McDowell, Ariz.
D.....	35	do	Camp Thomas, Ariz.
E.....	34	do	Camp Apache, Ariz.
F.....	34	do	Fort Whipple, Ariz.
G.....	35	do	Camp Apache, Ariz.
H.....	34	June 30, 1877	San Diego Barracks, Cal.
I.....	33	Aug. 31, 1877	Camp Grant, Ariz.
K.....	36	do	Camp Lowell, Ariz.
Recruits.....	2		Left Fort Columbus October 3, 1877.
Do.....	2		Left San Francisco July —, 1877.
Do.....	1		Left San Francisco August —, 1877.
Total.....	371		
Authorized strength.....	375		

NINTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Oct. 31, 1877	Omaha Barracks, Nebr.
Non-commissioned staff and band.....	21	do	Do.
A.....	31	do	Fort McPherson, Nebr.
B.....	35	do	Omaha Barracks, Nebr.
C.....	36	do	Cheyenne depot, Wyo.
D.....	33	do	Sidney Barracks, Nebr.
E.....	37	do	Fort McKinney, Wyo.
F.....	34	do	Fort McPherson, Nebr.
G.....	32	do	Omaha Barracks, Nebr.
H.....	38	do	Do.
I.....	36	do	Do.
K.....	34	do	Fort Sanders, Wyo.
Total.....	367		
Authorized strength.....	375		

TENTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Oct. 31, 1877	Fort McKavett, Tex.
Non-commissioned staff and band.....	18	do	Do.
A.....	43	do	Do.
B.....	43	do	Do.
C.....	40	do	Do.
D.....	47	do	Fort McIntosh, Tex.
E.....	47	do	San Antonio, Tex.
F.....	47	do	Fort McKavett, Tex.
G.....	41	do	Fort Clark, Tex.
H.....	44	do	Do.
I.....	44	do	Fort McKavett, Tex.
K.....	44	do	Fort Clark, Tex.
Recruits.....	4		Left Fort Columbus October 29, 1877.
Do.....	7		Left Columbus Barracks November 1, 1877.
Total.....	469		
Authorized strength.....	375		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

## ELEVENTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Oct. 31, 1877	Cheyenne Agency, Dak.
Non-commissioned staff and band.....	23	.....do.....	Do.
A.....	34	Aug. 31, 1877	Do.
B.....	34	.....do.....	Fort Custer, Mont.
C.....	37	.....do.....	Do.
D.....	35	Oct. 31, 1877	Cheyenne Agency, Dak.
E.....	35	.....do.....	Do.
F.....	36	Aug. 31, 1877	Fort Custer, Mont.
G.....	38	.....do.....	Cheyenne Agency, Dak.
H.....	25	.....do.....	Fort Custer, Mont.
I.....	36	Oct. 31, 1877	Cheyenne Agency, Dak.
K.....	34	.....do.....	Do.
Musicians.....	2	.....do.....	Left Columbus Barracks November 1, 1877.
Total.....	369		
Authorized strength.....	375		

## TWELFTH REGIMENT OF INFANTRY.

Headquarters.....	.....	Oct. 31, 1877	Angel Island, Cal.
Non-commissioned staff and band.....	21	.....do.....	Do.
A.....	27	Aug. 31, 1877	Camp Mojave, Ariz.
B.....	35	Oct. 31, 1877	Benicia Barracks, Cal.
C.....	18	June 30, 1877	Angel Island, Cal.
D.....	36	Oct. 31, 1877	Do.
E.....	34	Aug. 31, 1877	Camp Gaston, Cal.
F.....	30	Oct. 31, 1877	Angel Island, Cal.
G.....	34	.....do.....	Camp Bidwell, Cal.
H.....	31	.....do.....	Camp Halleck, Nev.
I.....	27	.....do.....	Camp McDermit, Nev.
K.....	29	.....do.....	Benicia Barracks, Cal.
Recruits.....	19	.....do.....	Left San Francisco July, 1877.
Do.....	6	.....do.....	Left Fort Columbus October 3, 1877.
Total.....	347		
Authorized strength.....	375		

## THIRTEENTH REGIMENT OF INFANTRY.

Headquarters.....	.....	Oct. 31, 1877	Jackson Barracks, La.
Non-commissioned staff and band.....	18	.....do.....	Do.
A.....	33	.....do.....	Do.
B.....	33	.....do.....	Baton Rouge, La.
C.....	31	.....do.....	Little Rock, Ark.
D.....	36	.....do.....	Jackson Barracks, La.
E.....	35	.....do.....	Little Rock, Ark.
F.....	35	.....do.....	Baton Rouge, La.
G.....	33	.....do.....	Lake Charles, La.
H.....	35	.....do.....	Jackson Barracks, La.
I.....	34	.....do.....	Do.
K.....	34	.....do.....	Baton Rouge, La.
Total.....	357		
Authorized strength.....	375		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

FOURTEENTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Oct. 31, 1877	Camp Douglas, Utah.
Non-commissioned staff and band.....	20	do.....	Do.
A.....	37	do.....	Fort Hall, Idaho.
B.....	36	do.....	Camp Douglas, Utah.
C.....	33	do.....	Do.
D.....	35	do.....	Do.
E.....	32	do.....	Do.
F.....	37	do.....	Do.
G.....	34	do.....	Do.
H.....	35	do.....	Fort Cameron, Utah.
I.....	33	do.....	Camp Douglas, Utah.
K.....	36	do.....	Fort Hartsuff, Nebr.
Recruits.....	9	.....	Left Fort Columbus October 3, 1877.
Total.....	370		
Authorized strength.....	375		

FIFTEENTH REGIMENT OF INFANTRY.

Headquarters.....	.....	Oct. 31, 1877	Fort Wingate, N. Mex.
Non-commissioned staff and band.....	20	do.....	Do.
A.....	30	do.....	Fort Craig, N. Mex.
B.....	36	do.....	Fort Garland, Colo.
C.....	28	do.....	Fort Union, N. Mex.
D.....	36	do.....	Fort Wingate, N. Mex.
E.....	29	Aug. 31, 1877	Fort Bayard, N. Mex.
F.....	29	Oct. 31, 1877	Fort Union, N. Mex.
G.....	32	do.....	Fort Craig, N. Mex.
H.....	32	do.....	Fort Stanton, N. Mex.
I.....	30	Aug. 31, 1877	Fort Marcy, N. Mex.
K.....	31	Oct. 31, 1877	Fort Wingate, N. Mex.
Total.....	333		
Authorized strength.....	375		

SIXTEENTH REGIMENT OF INFANTRY.

Headquarters.....	.....	Oct. 31, 1877	Fort Riley, Kans.
Non-commissioned staff and band.....	20	do.....	Do.
A.....	33	do.....	Do.
B.....	34	do.....	Fort Sill, Ind. T.
C.....	33	do.....	Fort Riley, Kans.
D.....	32	do.....	Fort Sill, Ind. T.
E.....	34	do.....	Fort Reno, Ind. T.
F.....	33	do.....	Fort Wallace, Kans.
G.....	35	do.....	Fort Hays, Kans.
H.....	31	do.....	Fort Riley, Kans.
I.....	36	do.....	Fort Reno, Ind. T.
K.....	34	do.....	Fort Gibson, Ind. T.
Total.....	355		
Authorized strength.....	375		



Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

## SEVENTEENTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Standing Rock, Dak.
Non-commissioned staff and band.....	19	do	Do.
A.....	34	do	Do.
B.....	33	do	Do.
C.....	35	do	Do.
D.....	31	do	Fort A. Lincoln, Dak.
E.....	35	do	Standing Rock, Dak.
F.....	33	do	Do.
G.....	32	do	Fort A. Lincoln, Dak.
H.....	35	do	Standing Rock, Dak.
I.....	30	do	Do.
K.....	33	do	Do.
Recruits.....	2		Left Fort Columbus October 29, 1877.
Total.....	352		
Authorized strength.....	375		

## EIGHTEENTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Atlanta, Ga.
Non-commissioned staff and band.....	18	do	Do.
A.....	33	do	Chattanooga, Tenn.
B.....	35	do	Atlanta, Ga.
C.....	36	do	Do.
D.....	34	do	Do.
E.....	34	do	Do.
F.....	37	do	Do.
G.....	36	do	Do.
H.....	35	do	Newport Barracks, Ky.
I.....	35	do	Do.
K.....	32	do	Atlanta, Ga.
Total.....	365		
Authorized strength.....	375		

## NINETEENTH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....		Oct. 31, 1877	Fort Lyon, Colo.
Non-commissioned staff and band.....	16	do	Do.
A.....	33	do	Camp Supply, Ind. T.
B.....	28	do	Do.
C.....	31	Sept. 30, 1877	Fort Elliott, Tex.
D.....	30	do	Fort Larned, Kans.
E.....	27	Oct. 31, 1877	Fort Lyon, Colo.
F.....	26	do	Fort Dodge, Kans.
G.....	27	do	Do.
H.....	29	do	Fort Lyon, Colo.
I.....	31	Sept. 30, 1877	Fort Elliott, Tex.
K.....	36	Oct. 31, 1877	Fort Lyon, Colo.
Total.....	314		
Authorized strength.....	375		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

TWENTIETH REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Oct. 31, 1877	Fort Snelling, Minn.
Non-commissioned staff and band.....	19	.....do.....	Do.
A.....	27	.....do.....	Fort Sisseton, Dak.
B.....	26	.....do.....	Fort Snelling, Minn.
C.....	36	.....do.....	Fort Totten, Dak.
D.....	30	.....do.....	Fort Pembina, Dak.
E.....	27	.....do.....	Fort Sisseton, Dak.
F.....	34	.....do.....	Fort Pembina, Dak.
G.....	23	.....do.....	Fort Snelling, Minn.
H.....	25	.....do.....	Fort Totten, Dak.
I.....	22	.....do.....	Fort Pembina, Dak.
K.....	26	.....do.....	Fort Totten, Dak.
Musician.....	1	.....do.....	Left Columbus Barracks November 1, 1877.
Total.....	299		
Authorized strength.....	375		

TWENTY-FIRST REGIMENT OF INFANTRY.

Headquarters.....	.....	Aug. 31, 1877	Fort Vancouver, Wash. Ter.
Non-commissioned staff and band.....	20	.....do.....	Do.
A.....	30	Oct. 31, 1877	Fort Boise, Idaho.
B.....	29	June 30, 1877	Fort Walla Walla, Wash. Ter.
C.....	27	.....do.....	Fort Townsend, Wash. Ter.
D.....	32	.....do.....	Fort Vancouver, Wash. Ter.
E.....	29	.....do.....	Do.
F.....	30	Aug. 31, 1877	Fort Klamath, Ore.
G.....	31	.....do.....	Fort Vancouver, Wash. Ter.
H.....	28	June 30, 1877	Fort Walla Walla, Wash. Ter.
I.....	30	.....do.....	Fort Vancouver, Wash. Ter.
K.....	30	Aug. 31, 1877	Camp Harney, Ore.
Recruits.....	12	.....do.....	Left San Francisco August —, 1877.
Do.....	3	.....do.....	Left Columbus Barracks October 4, 1877.
Do.....	1	.....do.....	Left Fort Columbus October 3, 1877.
Total.....	332		
Authorized strength.....	375		

TWENTY-SECOND REGIMENT OF INFANTRY.

Headquarters.....	.....	Oct. 31, 1877	Fort Wayne, Mich.
Non-commissioned staff and band.....	23	.....do.....	Do.
A.....	29	.....do.....	Do.
B.....	29	.....do.....	Fort Porter, N. Y.
C.....	27	.....do.....	Fort Wayne, Mich.
D.....	26	Sept. 30, 1877	Fort Mackinac, Mich.
E.....	30	.....do.....	Do.
F.....	36	Oct. 31, 1877	Fort Brady, Mich.
G.....	33	.....do.....	Fort Porter, N. Y.
H.....	38	.....do.....	Fort Wayne, Mich.
I.....	32	.....do.....	Fort Gratiot, Mich.
K.....	32	.....do.....	Fort Brady, Mich.
Musicians.....	2	.....do.....	Left Columbus Barracks October 22, 1877.
Recruits.....	1	.....do.....	Left Fort Columbus October 25, 1877.
Do.....	4	.....do.....	Left Fort Columbus November 6, 1877.
Do.....	1	.....do.....	Left Columbus Barracks November 6, 1877.
Total.....	343		
Authorized strength.....	375		

Statement showing the organization of enlisted men of the Regular Army, &amp;c.—Continued.

## TWENTY-THIRD REGIMENT OF INFANTRY.

Companies, &c.	Enlisted men present and absent.	Date of report.	Station.
Headquarters.....	.....	Oct. 31, 1877	Fort Leavenworth, Kans.
Non-commissioned staff and band.....	25	do.....	Do.
A.....	32	do.....	Do.
B.....	28	do.....	Fort Dodge, Kans.
C.....	35	do.....	Fort Leavenworth, Kans.
D.....	35	do.....	Do.
E.....	33	do.....	Do.
F.....	35	do.....	Do.
G.....	33	do.....	Do.
H.....	35	do.....	Fort Gibson, Ind. T.
I.....	32	do.....	Fort Leavenworth, Kans.
K.....	33	do.....	Do.
Total.....	356		
Authorized strength.....	375		

## TWENTY-FOURTH REGIMENT OF INFANTRY.

Headquarters.....	.....	Sept. 30, 1877	Fort Clark, Tex.
Non-commissioned staff and band.....	4	do.....	Do.
A.....	37	do.....	Do.
B.....	37	Oct. 31, 1877	Fort Duncan, Tex.
C.....	27	Sept. 30, 1877	Ringgold Barracks, Tex.
D.....	37	do.....	Fort Clark, Tex.
E.....	28	do.....	Fort Brown, Tex.
F.....	36	Oct. 31, 1877	Fort Duncan, Tex.
G.....	29	Sept. 30, 1877	Ringgold Barracks, Tex.
H.....	31	do.....	Fort Brown, Tex.
I.....	29	do.....	Ringgold Barracks, Tex.
K.....	33	do.....	Do.
Recruits.....	4	do.....	Left Columbus Barracks November 1, 1877.
Total.....	332		
Authorized strength.....	375		

## TWENTY-FIFTH REGIMENT OF INFANTRY.

Headquarters.....	.....	Oct. 31, 1877	Fort Davis, Tex.
Non-commissioned staff and band.....	21	do.....	Do.
A.....	32	do.....	Do.
B.....	29	Sept. 30, 1877	Fort Clark, Tex.
C.....	30	Oct. 31, 1877	Fort Stockton, Tex.
D.....	34	do.....	Do.
E.....	35	Sept. 30, 1877	Fort Clark, Tex.
F.....	36	Oct. 31, 1877	Fort Stockton, Tex.
G.....	30	do.....	Fort Concho, Tex.
H.....	31	do.....	Fort Davis, Tex.
I.....	32	do.....	Do.
K.....	36	Sept. 30, 1877	Fort Clark, Tex.
Total.....	346		
Authorized strength.....	375		

## ENGINEER BATTALION.

Headquarters.....	.....	Oct. 31, 1877	Willetts Point, New York Harbor.
Non-commissioned staff and band.....	10	do.....	Do.
A.....	43	do.....	Do.
B.....	46	do.....	Do.
C.....	50	do.....	Do.
D.....	2	do.....	Do.
E.....	47	do.....	West Point, N. Y.
Total.....	198		
Authorized strength.....	200		

Statement showing the organization of enlisted men of the Regular Army, &c.—Continued.

	Enlisted men.	Date of report.
Available recruits at Fort Columbus, New York Harbor, *general service.....	33	Nov. 10, 1877.
Available recruits at Columbus Barracks, Ohio, general service.....	21	Do.
Available recruits at Saint Louis Barracks, Missouri, mounted service and colored.....		Do.
Available recruits at New York City, mounted service.....		Do.
<b>Total.....</b>	<b>54</b>	
Authorized recruiting parties.....	300	
Permanent and recruiting parties, music boys, and recruits at depots not available for assignment.	472	Oct. 31 & Nov. 10, 1877.
General-service men on duty in bureaus of the War Department, Army, division, and department headquarters, &c.	345	Oct. 31, 1877. Do.
Ordnance Department, authorized, 350.....	359	
West Point detachments, authorized, 200.....	189	Do.
Prison-guard, Fort Leavenworth, Kansas, authorized, 74.....	74	Do.
Hospital-stewards, authorized, 200.....	183	Do.
Ordnance-sergeants, authorized, 114.....	114	Do.
Commissary-sergeants, authorized, 148.....	146	Do.
Indian scouts, authorized, 600.....	582	Do.
Signal detachment, authorized, 400.....	405	Aug. 31, 1877.

\* Assigned to Fifth Artillery.

RECAPITULATION.

Regiment.	Number of men.	Regiment.	Number of men.
First Cavalry.....	725	Eighteenth Infantry.....	365
Second Cavalry.....	902	Nineteenth Infantry.....	314
Third Cavalry.....	817	Twentieth Infantry.....	299
Fourth Cavalry.....	829	Twenty-first Infantry.....	332
Fifth Cavalry.....	833	Twenty-second Infantry.....	343
Sixth Cavalry.....	682	Twenty-third Infantry.....	356
Seventh Cavalry.....	929	Twenty-fourth Infantry.....	332
Eighth Cavalry.....	818	Twenty-fifth Infantry.....	346
Ninth Cavalry.....	453	Engineer Battalion.....	198
Tenth Cavalry.....	926	Permanent and recruiting parties, music-boys, and recruits not available for assignment.....	472
First Artillery.....	442	General-service men on duty in the bureaus of the War Department, Army, division, and department headquarters, &c.....	345
Second Artillery.....	479	Ordnance Department.....	359
Third Artillery.....	483	West Point detachments.....	189
Fourth Artillery.....	467	Prison-guard.....	74
Fifth Artillery.....	438	Hospital-stewards.....	183
First Infantry.....	378	Ordnance-sergeants.....	114
Second Infantry.....	363	Commissary-sergeants.....	146
Third Infantry.....	340	Indian scouts.....	582
Fourth Infantry.....	373	Available recruits at depots.....	54
Fifth Infantry.....	387		
Sixth Infantry.....	352		
Seventh Infantry.....	312		
Eighth Infantry.....	371		
Ninth Infantry.....	367		
Tenth Infantry.....	469		
Eleventh Infantry.....	369		
Twelfth Infantry.....	347		
Thirteenth Infantry.....	357		
Fourteenth Infantry.....	370		
Fifteenth Infantry.....	333		
Sixteenth Infantry.....	355		
Seventeenth Infantry.....	352		
		Total.....	21,821
		*Signal detachment.....	405
		Total with signal detachment.....	22,226
		Total October 31, 1877.....	22,291
		Loss.....	65

\* Not included in the 25,000 authorized by law. Non-combatant.

*Statement of the present force of United States troops in Texas.*

Organizations.	Officers.	Enlisted men.	Aggregate.
Fourth Regiment of Cavalry (eight companies).....	20	557	577
Eighth Regiment of Cavalry (entire).....	36	793	829
Ninth Regiment of Cavalry (ten companies).....	17	307	324
Tenth Regiment of Cavalry (nine companies).....	24	677	701
<b>Total cavalry.....</b>	<b>97</b>	<b>2,334</b>	<b>2,431</b>
Second Regiment of Artillery (four companies).....	10	186	196
Tenth Regiment of Infantry (entire).....	32	457	489
Fifteenth Regiment of Infantry (one company).....	1	28	29
Nineteenth Regiment of Infantry (two companies).....	6	60	66
Twentieth Regiment of Infantry (entire).....	31	297	328
Twenty-fourth Regiment of Infantry (entire).....	30	327	357
Twenty-fifth Regiment of Infantry (entire).....	30	342	372
<b>Total infantry.....</b>	<b>130</b>	<b>1,511</b>	<b>1,641</b>
<b>Grand total.....</b>	<b>237</b>	<b>4,031</b>	<b>4,268</b>

E. D. TOWNSEND,  
*Adjutant-General*

ADJUTANT-GENERAL'S OFFICE,  
*Washington, D. C., January 7, 1878.*

HEADQUARTERS ARMY OF THE UNITED STATES,  
*Washington, D. C., January 16, 1878.*

SIR: By direction of the General of the Army I have the honor to inclose herewith map of a portion of the State of Texas bordering on the Rio Grande River.

Sent by request of Lieut. Col. W. R. Shafter, Twenty-fourth Infantry.

With great respect, your obedient servant,

JNO. M. BACON,  
*Colonel and Aid-de-Camp.*

HON. E. S. BRAGG, M. C.,  
*House of Representatives.*

COMMITTEE ON MILITARY AFFAIRS,  
*Washington, D. C., December 12, 1877.*

*Statement of Lieutenant-General Sheridan.*

Lieutenant-General PHILIP H. SHERIDAN appeared before the committee and made the following statement:

Mr. WHITE. The Department of Texas is in your command, General Sheridan?

Lieutenant-General SHERIDAN. It is a part of my division. I have the general supervision of it. It is under the immediate command of Brigadier-General Ord.

Mr. WHITE. Have you been personally along the border of Texas within the last two years?

Lieutenant-General SHERIDAN. I have been there a great many times, but not within the last two years. The last time I was along the Rio Grande border was in 1873.

Mr. WHITE. Are you personally cognizant of any of the difficulties complained of by the citizens of Texas resulting from raids by citizens of Mexico into Texas across the Rio Grande?

Lieutenant-General SHERIDAN. I cannot give you any specific answer to the question now without records. The War Department has the



records. I know that raids have been made there for the last twelve years.

Mr. WHITE. Have you any knowledge of the number of persons who have been killed in those raids, more than you get from the official records?

Lieutenant-General SHERIDAN. No, sir; I have not.

Mr. WHITE. Have you regarded the difficulties on the Texas border as seriously endangering the amicable relations of the two countries, Mexico and the United States?

Lieutenant-General SHERIDAN. Only in so far as the depredations committed on our side by Mexican Indians are concerned. I do not know how long our government will permit such condition of affairs to exist. They certainly have existed to my knowledge for twelve years.

Mr. WHITE. Are the troops now located on the border sufficient, in your opinion as a military commander, to protect the rights of American citizens?

Lieutenant-General SHERIDAN. Yes, sir, I think so, when the troops now ordered there arrive. I will say that it is my belief that the raids recently into Texas have been much less numerous than heretofore.

Mr. WHITE. Do you think it would be wise to lessen the force on the border?

Lieutenant-General SHERIDAN. No, sir; I think we never have had a sufficient force on the Rio Grande. The river in Texas is about 1,600 miles in length. It is very sinuous and can be crossed at almost any point. Along these 1,600 miles there is a population made of a mixture of Mexican, Indian, and Spanish blood, without any idea of international comity, and with very little respect for law of any kind. I have always been of the impression that we never have had a sufficient force on the Rio Grande, but the demands elsewhere have been so great on our scanty Army as to preclude the possibility of sending more there. I know a great deal about Texas, probably as much as any one in the service. I have been all over the State many times. I was stationed on the Rio Grande when I first entered the Army, and my knowledge is quite thorough, especially that accumulated during the last twelve years.

Mr. WHITE. Have you any reliable information of the accumulation of troops by the Diaz government on the Mexican side?

Lieutenant-General SHERIDAN. No, sir; only what I have seen in the public prints.

Mr. WHITE. Of course you are familiar with the military *status* there. Do you consider the occurrence of hostilities there imminent?

Lieutenant-General SHERIDAN. No, sir; except by an accidental collision. I have no idea that the Mexican government will provoke hostilities by an armed regular force; but it is possible that some accident might occur which would bring about a collision. This might lead to trouble. Whether it would amount to a war or not I am unable to say; but it is my belief that the Mexican Government would very reluctantly engage in hostilities with the United States. It would not, in my judgment, be a very reasonable thing for it to do.

Mr. WHITE. Then the peace between the two countries in the present emergency depends upon the prudence of the respective commanders?

Lieutenant-General SHERIDAN. Yes, sir; I mean to say that if parties cross the river, either from Mexico to our side or from our side to Mexico, even on a fresh trail, there is danger of a collision. It might not come from the regular troops making expeditions, but sometimes serious consequences follow the firing of even an accidental shot, with the best-regulated forces.

Mr. WHITE. Then you mean that the commanding officers there should exercise great prudence and discretion?

Lieutenant-General SHERIDAN. Yes, sir.

Mr. WHITE. What is your opinion of the wisdom of authorizing the following of raiders on a fresh trail across the river?

Lieutenant-General SHERIDAN. I would not like to express an opinion on that subject. I have thought heretofore that, inasmuch as we had not a sufficient number of troops, it was the only means we could resort to to stop these raids, unless the government took some decisive steps, by some international understanding, and I came here at one time prepared to recommend this course. My recommendation, had it been made, would have been for Congress to pass a joint resolution notifying the central Government of Mexico that unless this raiding ceased on and after a specified time that we would send our troops across the Rio Grande and punish the thieves wherever found.

Mr. WHITE. Suppose such an arrangement was made, do you believe, knowing the population on the border, that Mexico could enforce it?

Lieutenant-General SHERIDAN. I think she could. The only doubt would be the confusion coming from frequent revolutions.

Mr. WHITE. Do you think they have the power to enforce a commercial treaty?

Lieutenant-General SHERIDAN. I do not know, sir. The revolutions that so often occur in Mexico make it difficult to enforce any special conditions on the frontier.

Mr. WHITE. Do you recommend the multiplication of posts on the Rio Grande, or do you think there are posts enough there?

Lieutenant-General SHERIDAN. I think there could be additional garrisons established there with benefit.

Mr. WHITE. Between what posts?

Lieutenant-General SHERIDAN. Between the mouth of Devil's River, which is north of Fort Clark, probably 60 miles, and the mouth of the Rio Grande. Devil's River enters into the Rio Grande about sixty miles north of Fort Clark.

Mr. WHITE. Would you suggest a new post north of Fort Duncan?

Lieutenant-General SHERIDAN. Yes, sir; there should be one north of Fort Duncan about one hundred miles; that is, at or about Devil's River. We have two posts north of Devil's River, which are not quite on the river; one at Fort Stockton, one at Fort Davis. The troops from Stockton usually furnish a small guard for the crossing at Presidio del Norte, where there is a good deal of commerce crossing the river, and Fort Davis furnishes a small station, at old Fort Quitman, which is directly northwest of Fort Davis.

Mr. BRAGG. What is your idea of the effect that would be produced, whether it would tend to promote a reduction of the raids or not, to remove the Apaches, now on the Stanton reservation, a band of about two hundred warriors, with their ponies and families, and place them on the general Apache reservation?

Lieutenant-General SHERIDAN. Do you mean farther west in New Mexico?

Mr. BRAGG. No; farther east.

Lieutenant-General SHERIDAN. Down in the Indian Territory?

Mr. BRAGG. Yes, sir.

Lieutenant-General SHERIDAN. There is no general Apache reservation in the Indian Territory. There is the Comanche and Kiowa reservation where you indicate. I scarcely think it could be accomplished

successfully. Those Indians would go back to their old homes, on their knees, if they had no other way of getting back.

Mr. BRAGG. General Mason said to us that there was a large reservation there, about seventy miles square, and that upon that reservation there were about two hundred warriors, who sometimes came away down into Texas, and raided both in Mexico and in Texas, and that they had twice been followed and attacked by Mexicans, and detected as our Indians, and he thought that perhaps if they were removed it would be a removal of one of the causes which tend to irritate the feelings of the inhabitants on the border.

Lieutenant-General SHERIDAN. I do not think there has been much irritation in Mexico from our Indians on the Stanton reservation. There was a report some time ago that some of those Indians had gone into Mexico and committed depredations, and been followed by a party of Mexicans on our side, and that the Mexicans were beaten and driven back, and that then they were re-enforced and came back and attacked and killed several of the Indians, but I doubt whether this report has been fully confirmed; at least I have had official information sufficient to make me doubt that it was true.

Mr. BRAGG. Does not a multiplicity of posts have a tendency to weaken the force that would be ready for active service?

Lieutenant-General SHERIDAN. Yes, sir.

Mr. BRAGG. With the small force that you have, each new post that is established will require an extra detail of a portion of the command for commissary, laborers, &c.?

Lieutenant-General SHERIDAN. Yes, sir.

Mr. BRAGG. Then in view of the limited number of troops occupied in the defense of the frontier, is it not the wiser military course to strengthen the posts with garrisons from the established posts, make details and adopt a system of cantonments, sending them to the points where they may be required by the month or two months at a time?

Lieutenant-General SHERIDAN. That is very good if it were practicable, but where the protection is constantly required we cannot cover it by an arrangement of that kind. There is no one in the world who is more opposed to small posts and a multiplicity of posts than I am, but we cannot carry out my ideas. The demand for constant protection is so great that we have to have the troops present all the time, and demands for additional protection constantly increasing, and the best we can do now is to abandon an old post every time we are compelled to make a new one.

Mr. BRAGG. In view of the demand that is made for mechanics and laborers at posts, do you regard the colored troops as being as well adapted for that service as the white troops?

Lieutenant-General SHERIDAN. I do not know from any personal contact with the colored troops enough to answer the question. I have seen the colored troops only in inspections; there they appeared well enough, and the regiment that we have in New Mexico, the Ninth Cavalry (which was formerly in Texas and which I transferred to General Pope's command), is regarded an exceedingly efficient regiment.

Mr. BRAGG. I was speaking particularly of infantry.

Lieutenant-General SHERIDAN. I am not able to answer your question so far as infantry is concerned, and so far as cavalry is concerned I can answer only in the way I have stated. The regiment in New Mexico is regarded a good, efficient regiment.

Mr. BRAGG. In your judgment would it not be a matter of good policy to consolidate the infantry regiments of colored troops and, in view of

the ignorance and inability of the colored men as a class to discharge the duties of non-commissioned officers properly, to supply them with a corps of non-commissioned white officers?

Lieutenant-General SHERIDAN. I think it would be better to do away with the law which specifies colored regiments, and let them be merged together; and if they could stand the test of that, all well and good.

The CHAIRMAN. To break down the color line in the Army as we have done in civil life?

Lieutenant-General SHERIDAN. I think that would be better.

Mr. BRAGG. But can we break it down any more in the Army than we can in civil life? What is your idea of the necessity of having more officers to a company of colored troops than to a company of white troops?

Lieutenant-General SHERIDAN. I think the present number of officers sufficient. There are so many men in the Army that are always starting new ideas—starting rabbits and chasing them round—if the committee listen to such men it will have its hands full.

Mr. BRAGG. Yes; but, for instance, take a colored company of 100 men without a non commissioned officer able to read or write; the company has a captain and two lieutenants; now, is not the work which devolves upon those officers, in order to make thorough discipline, very much greater than it would be if they had a reasonably good corps of non-commissioned officers to assist in the work?

Lieutenant-General SHERIDAN. Yes, sir, of course; if the colored men were so ignorant, it would be much harder work for the officers; but I do not see why they could not get a sufficient amount of intelligence to be able to perform the duties of non-commissioned officers and enlist it.

Mr. BRAGG. Then should that be a qualification for enlisted men, that they should be able to read and write?

Lieutenant-General SHERIDAN. Yes, sir; to cover this case. We have but four colored regiments and only two of infantry.

Mr. BRAGG. In a society like that upon the Rio Grande, is not the tendency to demoralization greater among the colored troops than it would be with whites, with small posts surrounded by people of mixed blood, with no marked color line of distinction between them and the blacks?

Lieutenant-General SHERIDAN. I do not know that I can fully answer the question. It is my belief that the population along the Rio Grande fraternize very readily with the colored troops. As I have said, I have never had sufficient personal contact with those troops, at the posts where stationed, to answer from personal knowledge. When I served as a lieutenant in Texas I heard it often said that the Mexicans fraternized with the colored people more easily than with the Americans; but the general rule there among the Mexicans is to hate the Americans—"gringos" as they call us.

Mr. BRAGG. Would not the safer course be, in order to prevent the danger of a collision, that our troops should be stationed upon the border as an army of observation, and for the purpose of holding in awe the Mexican Government, to allow no armed bands to cross the river to this side, and no armed bands from this side to cross to the other, and to simply discharge the duties of soldiers proper, representing the United States, and disengage themselves entirely from acting as a police for the State of Texas?

Lieutenant-General SHERIDAN. I beg to be excused from answering the question for the same reasons that I asked to be excused from answer-

ing a former question of a similar nature. It is not my place to criticise the orders of my superiors.

Mr. MARSH. Have you any information in regard to this raid recently made by Lieutenant Bullis into Mexican territory?

Lieutenant-General SHERIDAN. No official information.

The CHAIRMAN. Have not the raids of Indian and Mexican outlaws been less frequent into Texas during the last year than during the years previous?

Lieutenant-General SHERIDAN. That would be pinning me down a little too close, without examining the records, but I would be willing to say that they have been growing less frequent, and that, so far as my present impressions go, they have been less for the last two years, and much less than three or four years ago.

The CHAIRMAN. Has not the disposition of the Diaz government toward the United States been good, and in the direction of preventing these raids?

Lieutenant-General SHERIDAN. So far as I know from official correspondence, it has. General Ord and the commanders down there have been on very amicable terms with the Mexican authorities, and they seem to co-operate with each other to some extent.

The CHAIRMAN. Have you in your mind at this time any raid, by either Indians or Mexicans, within the last year, that carried away any property of the citizens of the United States?

Lieutenant-General SHERIDAN. I have not any in my mind, but I think there have been raids within the last year where cattle have been taken.

The CHAIRMAN. Have you in your mind any case in which Indians or outlaws have gone from our side into Mexico within the last two years?

Lieutenant-General SHERIDAN. I have no direct knowledge of such raid, except where subsequent knowledge of it led me to doubt its truthfulness.

The CHAIRMAN. Have you had such crossings reported to you and complaints made of them, or statements of the facts, from your officers?

Lieutenant-General SHERIDAN. I have had the official reports of the crossing of our troops in pursuit of marauders.

The CHAIRMAN. I do not mean troops; I mean thieves and rascals from our side.

Lieutenant-General SHERIDAN. No, sir.

The CHAIRMAN. Have you had any information of Mexicans following bands that had gone over from our side?

Lieutenant-General SHERIDAN. Yes, sir; within the last six months.

The CHAIRMAN. Bands that went over from our side to steal?

Lieutenant-General SHERIDAN. No, sir; I think they followed a revolutionary band that went over there under a man named Winker Valdez. They attacked and drove his force back again, followed him and attacked him on our side, and he came down to Fort Clark, or some outpost of Fort Clark, for protection and surrendered to our troops. It was very soon after the order to cross the Rio Grande was issued.

The CHAIRMAN. The Mexicans followed him back into the United States?

Lieutenant-General SHERIDAN. Yes, sir; the Mexican troops did.

The CHAIRMAN. You say this chief gave himself and his band up to our troops at Fort Clark?

Lieutenant-General SHERIDAN. Yes, sir.

The CHAIRMAN. What was done with them?



Lietenant-General SHERIDAN. Their arms were taken away and they were directed to be held as prisoners. They were regularly interned. It is my belief that the officers were ordered, sent, to San Antonio, and I think the privates were turned loose.

The CHAIRMAN. How many of them were there?

Lieutenant-General SHERIDAN. Probably less than 100.

The CHAIRMAN. This man Valdez was a Mexican who had gone over rom our side?

Lieutenant-General SHERIDAN. Yes, sir.

The CHAIRMAN. He had gone over as a revolutionist?

Lieutenant-General SHERIDAN. Yes, sir.

The CHAIRMAN. What was the nationality of the privates?

Lieutenant-General SHERIDAN. I think they were all Mexican. They were, so far as I know.

The CHAIRMAN. Is there any other instance that you can call to mind of the Mexicans following a band over into the United States.

Lieutenant-General SHERIDAN. Yes; it has been common.

The CHAIRMAN. Has it occurred, to your recollection, one other time within the last year?

Lieutenant-General SHERIDAN. No, sir; but it has been common; it has been done in Arizona. They have pursued Indians into our country, and we have co-operated with them and have issued them rations.

The CHAIRMAN. Have you recommended to the War Department the following of those bands into Mexico?

Lieutenant-General SHERIDAN. I have, several times within the last twelve years, urged on the government to take some steps to give better protection to that frontier. I am not able to say that I recommended any particular policy, but I did urge that some steps should be taken to give better protection.

The CHAIRMAN. The report upon which the order to cross was issued was the report of Lieutenant-Colonel Shafter. Did that come up through your department?

Lieutenant-General SHERIDAN. Yes, sir; I presume it did, as everything should come that way.

The CHAIRMAN. And it was forwarded, as it appears, without indorsement?

Lieutenant-General SHERIDAN. I do not remember. I do not know whether it ever came through my headquarters; if it did, I think it would have had some indorsement. If it has no indorsement, it never came that way.

The CHAIRMAN. Have you been on the Rio Grande within the last two or three years and had opportunity to observe whether any section of that country has been abandoned by reason of these raids?

Lieutenant-General SHERIDAN. No, sir; I have no knowledge which would enable me to answer that question.

The CHAIRMAN. Can you advise the committee at this time of any raid of Indians or Mexicans into the United States since the Diaz Government has been in control in Mexico, say, since a year ago last November?

Lieutenant-General SHERIDAN. I have had official notification that raids were contemplated by the Lipan Indians. I do not know whether I have had any official information of their having consummated that intention, though I have seen information in the papers to that effect. I have had official information that some few Mexicans came over and joined the people of El Paso in the salt troubles.

The CHAIRMAN. The people of El Paso, I mean citizens living there, are mostly Mexicans, are they not?

Lieutenant-General SHERIDAN. Yes, sir.

The CHAIRMAN. And a large portion of the population along the river on our side is Mexican?

Lieutenant-General SHERIDAN. Yes, sir.

The CHAIRMAN. If there is any additional information that you think would be of benefit to the committee in this inquiry please add it to your testimony.

Lieutenant-General SHERIDAN. I will do so.

I append "Briefs of papers in relation to Texas border raids by Mexicans and Indians." The originals of these papers are on file in the office of the Adjutant-General of the Army, Washington, D. C.

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

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*Briefs of papers in relation to Texas border raids by Mexicans and Indians, robbers, and murderers.*

December 21, 1876 (17 inclosures).—Commanding officer of Fort Davis, Texas, reports disturbances at Presidio. Efforts to effect release of Mr. Muller, and reported escape of Trias, held as hostage.

January 1, 1877.—Commanding officer of the district of Rio Grande reports operations since May 1, 1876, and condition of affairs on Rio Grande frontier.

January 3, 1877.—Adjutant-General of the United States Army furnishes copy of correspondence regarding appeal of United States citizens resident in Mexico for protection against arbitrary and lawless acts of General Revueltas.

January 4, 1877.—Commanding general of the Department of Texas reports Presidio del Norte occupied by Trias, who will march on Chihuahua, which may declare for him and Inglesins. Muller has been released on payment of \$35,000 ransom.

January 4, 1877.—Commanding general of the Department of Texas forwards copy of telegrams to Adjutant General relating to Mexican affairs on the Rio Grande border and question of sustaining Revueltas.

January 4, 1877.—Commanding general of the Department of Texas furnishes translation of a cipher telegram from commanding officer of the district of Rio Grande relating to Mexican affairs, and the question of assisting Revueltas by selling him ammunition on credit, with reply authorizing sale for cash.

January 9, 1877.—Commanding general of the Department of Texas. Revueltas pronounced for Diaz, &c.

January 10, 1877.—Commanding general of the district of Rio Grande transmits manifesto of General Reventas and expresses regret at his prospective resignation.

January 21, 1877.—T. W. Jones, second lieutenant Tenth Cavalry reports going to Saragossa, Mexico, about certain stolen cattle reported to have been taken up by the authorities at that place.

February 15, 1877.—Commanding officer of the district of Rio Grande reports condition of affairs on the Rio Grande frontier, the position of General Revueltas defined; status since he pronounced in favor of Diaz.

March 1, 1877.—Miguel Blanco informs commanding officer of Fort Brown of his appointment as military commander of the line of the Rio Bravo, and that he has assumed command at Matamoras; also copy of telegram from commanding officer of Fort Brown, announcing the arrest of Cortina at Matamoras.

March 3, 1877.—Commanding officer of Fort Brown. Entry of Canales into Matamoras. Arrest of Cortinas. Departure of Blanco and staff.

March 3, 1877.—Commanding general of the Department of Texas. Entry of Canales into Matamoras. Trial of Cortinas by general court-marshal.

March 5, 1877.—Commanding general of the Department of Texas. Canales not committed toward Diaz; working for himself.

March 9, 1877.—Commanding officer of the district of Nueces reports murder and robbery of American citizens in Texas by parties of Mexicans and Indians from Mexico.

March 21, 1877.—State Department incloses 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; requests War Department's views on the subject.

*March 24, 1877.*—Commanding officer of the post of San Felipe reports relative to stock stolen from mouth of Sycamore Creek, Texas, by Indians from Mexico.

*March 29, 1877.*—Lieutenant-Colonel Shafter forwards copies of dispatches in reference to intention of Indians and Mexicans to make raids into Texas and the capture of certain robbers; also position of troops; thinks that from the actions of the Mexican authorities they intend to protect Indians on their return from raids in Texas.

*March 30, 1877.*—Commanding general of the Department of Texas telegraphs Mexican authorities in Coahuila have arrested two of the guides who took our troops to Lipan and Apache camp, and Consul Schuhardt and a special agent telegraph that Lipans have crossed again. Party of Mexicans fire on United States troops.

*April 10, 1877.*—Commanding general of the Department of Texas, commanding officer, Fort Brown, reports arrest of Canales and that he is to be sent to Vera Cruz and confined in the castle of San Juan de Ulloa.

*April 24, 1877.*—Commanding officer of the district of Nueces reports raid by Indians and Mexicans and 200 head of cattle driven off. Pursuit of the marauders and operations against cattle-thieves.

*May 10, 1877.*—Commanding general of the Department of Texas requests orders to proceed to Chicago and confer with the Lieutenant-General in regard to condition of affairs on the Rio Grande frontier.

*May 10, 1877.*—Commanding officer of the district of Nueces reports raids by Mexicans and Indians from Mexico and pursuit of thieves.

*May 11, 1877.*—Commanding general of the Department of Texas has important matters to submit to Lieutenant-General in person. Is telegram authority to come?

*June 2, 1877.*—General W. T. Sherman incloses copy of letter of the Secretary of War defining policy to be pursued in relation to marauding parties from Mexico along the Rio Grande frontier. Copy to be furnished General Ord.

*June 9, 1877.*—General W. T. Sherman says the Mexican President will send a prudent general to the Rio Grande border to co-operate with General Ord in the suppression of outlawry on the Texas frontier.

*June 9, 1877.*—Commanding general of the Department of Texas reports good understanding with General Terino regarding prompt action to suppress marauding and co-operation of troops on both sides.

*June 9, 1877.*—Adjutant-General of the United States Army furnishes copy of letter from State Department covering copy of letter from United States minister in Mexico, stating the Mexican President will send a general with sufficient force to co-operate with General Ord in the suppression of troubles on the Texas frontier.

*June 11, 1877.*—Commanding general of the Department of Texas, copies of telegrams on Mexican border troubles in vicinity of El Paso, Tex.

*June 11, 1877.*—Commanding general of the Department of Texas sent instructions to meet anticipated action of Central Mexican authorities who at present have not troops enough to enforce its authority on frontier, as dispatch from Eagle Pass, relative to a raid by Areola, a noted bandit, shows.

*June 12, 1877.*—Commanding general of the Department of Texas. Refugees from Mexico attacked on the American side of the river by about 400 Mexican troops. Captain Kelly, Tenth Cavalry, gone to scene of attack. Colonel Shafter asks if he will pursue these troops across the Rio Grande and attack them. Is ordered not to cross.

*June 13, 1877.*—Adjutant-General of the United States Army—dispatch of 12th instant concerning crossing of Mexican troops into Texas read to the President, and order for our troops not to cross approved.

*June 14, 1877.*—Commanding general of the Department of Texas. Colonel Shafter has interned two colonels, two lieutenant-colonels, and 40 soldiers of the Mexican force recently retreated to this side. Five more soldiers of the party gone to Fort Duncan will be interned there; what shall be done with these prisoners and their arms?

*June 15, 1877.*—Adjutant-General of the United States Army. The President directs that, if necessary to preserve peace, the interned Mexicans be kept under the present restraint and rationed until further orders.

*June 22, 1877.*—Gen. S. P. Heintzleman informs of depredations, &c., of Mexicans into the United States from Mexico in the year 1860, and his orders to follow across the Rio Grande, &c.

*June 22, 1877.*—Adjutant-General of the United States Army forwards copy of letter from Treasury Department transmitting copy of letter from collector of customs at El Paso, Tex., reporting the taking of El Paso, Mexico, by partisans of Lerdo, and of a further letter requesting instructions relative to crossing of armed men into Mexico and arrival of arms and ammunition at that point destined for Mexico. Department commanders in New Mexico and Texas are to be instructed to maintain a strict neutrality.

*June 25, 1877.*—Commanding officer of the district of Rio Grande reports interview with General Canales, Mexican army, at Matamoras, relative to co-operation of both forces on the Rio Grande in suppressing raids, &c.

*June 25, 1877.*—Commanding general of the Department of Texas recommends dis-

charge of Colonel Martínéz and party on parole and restoration of private arms. Party of raiding Indians going for Mexico with stolen property pursued by troops, who will follow to their camps if necessary.

June 26, 1877.—Pepe, Engle Pass, Tex., informs his friend, Col. José Martínez, relative to the pronouncing of certain States in Mexico in favor of Lerdo.

June 27, 1877.—Adjutant-General furnishes copy of indorsement of the General of the Army on communication relative to Mexican border troubles in the vicinity of El Paso.

June 27, 1877.—Commanding general of the Department of Texas repeats telegram from commanding officer of Fort Brown, to the effect that Canales states his government directs him to abide by arrangement between Generals Ord and Trevino, and that he will communicate details as soon as received.

July 2, 1877.—Adjutant-General of the United States Army furnishes copy of letter from Department of State informing War Department that letter relative to the good understanding between General Ord and the Mexican general, Trevino, has been read with gratification, as encouraging a hope of successful co-operation to stop the raids from Mexico.

July 5, 1877.—Adjutant-General of the United States Army furnishes commanding officer, Department of Texas, copies of communications between the Secretary of Treasury and collector at San Antonio, Tex., relative to the horses, arms, &c., surrendered by Mexicans at Fort Clark.

July 5, 1877.—Adjutant-General of the Army. Colonel Martínez and party of Mexicans now held at Fort Clark to be discharged, and their parole, arms, &c., restored, under conditions recommended by General Ord.

July 6, 1877.—Commanding general, Department of Texas, has informed Colonel Shafter of orders for conditional release of Colonel Martínez and party.

July 9, 1877.—Lieutenant Bullis, Fort Clark, Tex., report of scout in pursuit of hostile Indians.

July 14, 1877.—Adjutant-General of the Army. Important telegram about Mexican affairs sent direct to General Ord. Copy to division headquarters by mail.

July 17, 1877.—Adjutant-General of the Army. Copy of telegram to General Ord acknowledging receipt of his report of the impracticability of ascertaining number of Trevino's forces. Also, relative to instructions received by latter officer.

July 17, 1877.—Adjutant-General of the Army. A copy of telegram to commanding general of the Department of Texas, amending prior instructions in regard of telegraphing the instructions received by General Trevino.

July 21, 1877.—Faltin & Shreiner report that Indians from Mexico are raiding in vicinity of Kerrville.

July 23, 1877.—G. W. Schofield, Tenth Cavalry, Fort Clark, reports Indians near Remolina; had mules they desired to trade for carbines; that they had purchased ammunition and were going on a raid into Texas.

July 21, 1877.—Commanding officer, Ringgold Barracks, reports arrest of General Escobedo and other Mexican officers.

July 15, 1877.—Commanding officer of the district of Nueces forwards copy of report by commanding officer Fort Duncan of interviews with General Naranjo relative to measures for suppression of raids into Texas from Mexico.

July 25, 1877.—Commanding general of the Department of Texas repeats dispatch from Lieutenant-Colonel Shafter, repeating telegram from Naranjo, acknowledging dispatch relative to capture and release of Escobedo, and stating he has pardoned Valdez and many of his command. Remarks on Mexican affairs.

July 31, 1877.—Commanding officer of the district of New Mexico forwards reports by Lieutenant Rucker, Ninth Cavalry, relative to affairs at El Paso, Texas; organization of parties for invasion of Mexico; movements of Mexican colonel, Machere; states garrison at El Paso should have been retained, and asks instructions in regard to sending troops there.

August 2, 1877.—Lieutenant Rucker, El Paso, Texas, reports that since his report of 30th ultimo everything has been quiet in that vicinity, with every prospect of remaining so.

August 3, 1877.—W. R. Shafter, Fort Clark, Tex., incloses correspondence relative to oxen, horses, and mules said to be stolen either by Indians or Mexicans and crossed into Mexico.

August 3, 1877.—Adjutant-General of the Army furnishes commanding general, Department of Texas, copy of State Department letter inclosing copy of communication from Mr. Foster, at Mexico, relative to expeditions against that country by Escobedo and Winkar, set on foot in Texas.

August 4, 1877.—Copies of telegrams relative to affairs on the Rio Grande frontier.

August 6, 1877.—Commanding general, Department of Texas. Commanding officer Fort Duncan reports capture of camp of Mexican revolutionists, 44 men and 43 horses. Lieutenant Bullis surrounded a thieving ranch in Mexico and recaptured five stolen American horses.

August 11, 1877.—Colonel Shafter, commanding district of Nueces, submits telegrams and orders relative to the violation of the neutrality laws of United States by parties under Valdez.

August 12, 1877.—Commanding general, Department of Texas, reports that an armed force crossed from Mexico into Rio Grande City, attacked the jail, and released two murderers and horse-thieves, severely wounding the county attorney and the three jailers.

August 14, 1877.—Commanding general, Department of Texas, repeats telegram from General Benavides, stating every effort will be made to recapture the liberated prisoners and to prosecute the outlaws, &c.

August 16, 1877.—Commanding officer of the district of New Mexico reports latest development on the Mexican border. Has ordered troops to Mesilla Valley as a precautionary measure.

August 21, 1877.—Commanding general, Department of Texas, reports telegrams from General Benavides stating that Rudolpho Espronceda, one of the released prisoners, was caught on 17th in Guerrero.

August 24, 1877.—Adjutant-General of the Army furnishes commanding general, Department of Texas, copy of State Department letter of 16th instant transmitting copy of dispatch from Mr. Foster, United States minister to Mexico, in relation to General Trevino's interference with General Ord, and of accompanying papers.

August 24, 1877.—Commanding general of the Department of Texas, in reference to Captain Hall, of Texas State troops, declaring intention of pursuing into Mexico any depredators on Texas soil. A force of 25,000 men are organizing in Texas for revolutionary forces.

August 25, 1877.—Commanding general of the Department of Texas. Governor answers, strict orders given to Hall to confine operations to this side. I make demand under extradition treaty, &c.

August 26, 1877.—Commanding officer at Fort Duncan reports progress made in procuring extradition of certain Lipan Indians; thinks Mexican authorities will not materially assist.

August 17, 1877.—Commanding general of the Department of Texas repeats telegram from Lieutenant-Colonel Sweitzer, Fort Brown, reporting interview with Generals Benavides and Canales, who state everything is being done by them to arrest the remaining raiders and prisoners, &c.

August 31, 1877.—Relative to horses stolen by Indians from Mexicans, and supposed to have been taken to one of the agencies in New Mexico.

September 4, 1877.—Adjutant-General of the Army repeats dispatch from superintendent of El Paso stage-line, reporting depredations by Indians and Mexicans along their route, and asking for military protection.

September 5, 1877.—Commanding general of the Department of Missouri. Will ascertain and report at once concerning reported depredations on El Paso stage-line. Has two companies Ninth Cavalry at Mesilla, which can be used if necessary.

September 5, 1877.—Commanding general of the Department of Texas. Eleven mules and two drivers killed by Indians between El Muerto and Van Horn. Commanding officer, Fort Davis, telegraphed to furnish escort to mail.

September 7, 1877.—Commanding officer of the district of the Rio Grande incloses communications from General Benavides to Judge Russell relative to the extradition of certain criminals.

September 8, 1877.—Commanding general of the Department of Texas reports news from Brownsville of 1,500 Mexican troops ready, at Vera Cruz, to embark for Matamoras, under Gonzales, to enforce terms of extradition treaty between the United States and Mexico, and enforce order on the border.

September 11, 1877.—Commanding general of the Department of Missouri repeats sum of Indian depredations on stage-line from El Paso to San Antonio, as reported by Lieutenant Rucker.

September 12, 1877.—Commanding general of the Department of Texas repeats telegram from Lieutenant-Colonel Sweitzer, reporting delivery under extradition treaty of three of the parties concerned in the Rio Grande jail-breaking.

September 14, 1877.—Copies of instructions to and orders for scouting parties.

August 21, 1877.—Adjutant-General of the Army furnishes official copy of correspondence relative to troubles on mail-route from San Antonio to Fort Bliss.

October 1, 1877.—Commanding general of the Department of Texas. Lieutenant Bullis crossed after Indians on 26th, and Colonel Shafter on 28th or 29th to support Bullis. No news from either. Reports of disaster sensational.

October 2, 1877.—Commanding general of the Department of Texas. Lieutenant Bullis found camp in Mexico, destroyed property, captured four squaws, one boy, twelve horses, and two mules, and returned unmolested by Mexican troops.

Official.

JAMES W. FORSYTH,  
Lieutenant-Colonel, Military Secretary.



*Statement of General E. O. C. Ord.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., December 5, 1877.

Brigadier-General E. O. C. ORD, commanding the United States forces in Texas, appeared before the committee.

Mr. EVINS. What is the military limit of your command, General Ord?

General ORD. The State of Texas, except a small district in which Fort Elliott is situated.

Mr. EVINS. How long have you been in command of that district?

General ORD. About two and a half years.

Mr. EVINS. I suppose you had very little knowledge of that command until you went there, two years and a half ago?

General ORD. I had been in Texas before, and I had had my attention called to the subject by friends of mine who were there, and, anticipating that I would be stationed there, I had taken some pains to study it up in advance.

Mr. EVINS. What number of troops have you there now?

General ORD. I have my last report in my pocket, and as it is somewhat later, probably, than anything now before the committee, I will refer to it: Total, 2,941; comprising staff, 48; cavalry, 1,723; infantry, 1,125; Indian scouts, 45.

Mr. EVINS. How are those troops distributed in reference to the prevention of incursions from the Mexican side?

General ORD. I have about half of them at Fort Clark and vicinity. Fort Clark is about forty miles from the Rio Grande River, and a little northeast of Eagle Pass, which is one of their principal crossing places to trade with Monterey and Saragossa to the south, and Chihuahua to the southwest. The balance of the troops are scattered in Northern and Western Texas, and some of them are along the road leading to El Paso del Norte, but the troops along the road to El Paso have been virtually withdrawn in order to enable me to deal with any Mexicans I might encounter in carrying out my orders when I cross the border in pursuit of raiders.

Mr. EVINS. Where is the principal cavalry force?

General ORD. It is now at Fort Clark.

Mr. EVINS. Is the cavalry distributed to any extent along the frontier?

General ORD. It is distributed along the frontier as I have stated. The cavalry are principally at Fort Brown, Ringgold Barracks, and Fort Clark. Then I have some little scattered detachments along the river—one company about sixty miles below Fort Duncan, one company at Fort Duncan, and one company at San Felipe. Those are the permanent stations, but I think that the troops are pretty much all in the field now.

Mr. EVINS. What is about the average strength of your infantry companies, including non-commissioned officers and privates?

General ORD. There are thirty companies in the department, and the total force is 1,125, which gives an average of about thirty-seven men to a company, including everybody, non-commissioned officers, regimental bands, non-commissioned staff, hospital stewards, and all the attachés of the regiments, so that it leaves only an average of about twenty men to a company for efficient service in the field. I have two companies now engaged in building telegraph-lines, and I have to send out occasional detachments to maintain existing telegraph-lines. I have also to escort the mail-stage from Fort Concho clear west to El Paso, because the Indian attacks in that section of country have been unusually lively

of late. They have murdered three or four stage-drivers and plundered the mails. They killed the driver of the stage between Stockton and Concho lately; he had declined an escort and he was killed.

Mr. EVINS. Are those Indian raids made from the Indian Territory?

General ORD. In that particular case I think it is probable that the Indians came from one of the reserves north, in New Mexico, but they go and come to and from the Mexican territory to suit themselves, and sometimes they, the reserve Indians, stay in Mexico awhile. There were numbers of the same tribe living in New Mexico, and the malcontents are gradually going into Mexico. We keep the Staked Plains scouted pretty clear of hostiles, so that they cannot remain long there, and last summer was so very dry a season, making water so very scarce, they did not want to stay there. The consequence of all these considerations is, that the predatory Indians are rapidly drifting into Mexico, in order to get rid of the restraints of the reserves and deplete with greater ease.

Mr. EVINS. What are the principal points on the Rio Grande where these raiders cross?

General ORD. There are no particular crossings. For the raids in the vicinity of Fort Clark and to the north of it they have crossed wherever it was convenient, sometimes near the mouth of Devil's River, sometimes above and sometimes below, thereby obtaining easy entrance into a very rough and difficult country, almost wholly unpopulated, through which they can pass without being discovered to some convenient point above the ranch district, and where they can lie quietly until the full moon enables them to make their raid and sweep down to the river with their plunder.

Mr. EVINS. What is the lowest point on the Rio Grande at which the river is fordable?

General ORD. In low water they can ford it almost anywhere, but they swim the river regardless of fording-places when they are pursued or apprehensive of pursuit. There is an old ford above Laredo which has been used a great deal by the Mexican traders.

Mr. EVINS. Are these incursions on the part of the Mexicans made purely for purposes of plunder?

General ORD. Yes, for plunder; though sometimes they go out of their way to kill people.

Mr. EVINS. Are they instigated by parties on the other side of the river, with ulterior motives?

General ORD. The extent and character of the country occupied by Indians, and the character of those Indians themselves, seem to be but little understood. I am now not only trying to get rid of the bad Indians in Texas and to punish them, but also those in the northern part of Mexico, which is a desert country full of mountains, and with scarcely any settlements. The extent of that unsettled and unexplored country and the number of Indians in it is not generally appreciated, nor, indeed, was it fully appreciated by me until a comparatively recent period; but I find that in endeavoring to carry out my orders to follow the Indians into that country and try to recover the stock taken by them, I have a pretty big contract on hand. I think the best way to give you an idea of the extent and character of that region is to read some portions of the report made by the Mexican members of the joint commission appointed by the Mexican Government and ours in 1873. That commission went quite fully into the subject of the number of Indians raiding in Mexico. I had not read their report until after I made my last official report, and when I did read it I was perfectly astounded at its

statements. The copy which I have is translated from the official edition published in Mexico in 1875. In this report the commissioners take the ground that for a number of years past Indians living in Texas have been in the habit of raiding into Mexico, and they refer to these raiders as mostly coming from Texas, and, as they say, bringing property from Mexico to the United States; whereas I can show that to a very large extent Northern Mexico itself has been and still is the home of these Indians. We have driven from time to time a large number of the Indians from the Staked Plains into Mexico, and others have gone there from time to time on account of the settlements and encroachments of the white people, so that that country is now the region from which these raiders into Texas habitually come. For several years preceding the date of this report raids were continually made from this region of Northern Mexico down into the populated Mexican territory several hundred miles south. To fully appreciate the statements of these gentlemen, you must understand something of the character and conformation of this Mexican country. The whole of the northern and eastern part of Chihuahua is a mountainous and desert region. Here (indicating on a map) is the river Couchos, and I have been told by a gentleman who has been our consul at Chihuahua that when you get east of that you find nothing but a desert, sparsely occupied by Indians; and he said that my troops might occupy this country anywhere and roam those mountains for fifty years without the Mexican Government knowing anything about it. This applies to the northern and eastern part of Chihuahua and the northern part of Coahuila. I have copies of the most recent Mexican maps which lay down this region as unknown—"desconocido," or "no explorado;" it is marked "unexplored." This country (indicating on the map) is all a desert waste of mountain, grass, and plain, with only one road leading through it, and the distance from water to water is frequently fifty or sixty miles. The Mexicans themselves do not travel through it; they go around it, either through their own country to the south, or by another road to the north, which passes some seven hundred miles through Texas. Where a straight line across this region would be only 250 or 300 miles, they make an immense round in order to avoid it, and when I asked one of General Trevino's agents, now a senator of the Mexican congress, why they did not drive those Indians out, he said that they would first have to send exploring parties to find out where the waters were; and he said further that the Mexicans were raided upon to the south of this region just as much as our people in Texas were. The corresponding part of the State of Texas to the north is very much like the Mexican country across the border, unexplored by white men, except that our side has recently been crossed in various directions by troops, and in one place by a railroad exploring party; so that the Indians can live either on one side or the other according as they prefer, unless they are driven out by us. We can drive them out from our side and try to keep them without any chance of success except we pursue them across to their homes; but on the Mexican side they can go and stay without being disturbed, unless I am permitted to go over there and scout in it. It is as entirely under the control of savages as the worst part of Central Africa crossed by Stanley.

General Ord here exhibited to the committee a map of a portion of the country in question, which he said was now being made by United States Army officers, indicating upon it the mouths of the Pecos and Devil Rivers. In this region, above their mouths, said he, water is so scarce that the troops will often go fifty or sixty miles without finding

any. These rivers run through a very rough district, and their banks are often perpendicular escarpments, covered with prickly pears, cacti, Spanish dagger, and masses of thorny plants, so that you cannot make a trail through them without tearing off the hoofs of the animals, and when you do reach the river you may have to travel miles and miles before you can find a place where you can get down to the water, and if you attempt to cross after getting down to the river you may have an equal distance to go on the other side, traversing ravine after ravine before you can get up from the river to the rough plateau above. There is a succession of these gullies, and the farther up the Rio Grande you go, the more perpendicular the banks become, until at one place, the "Natural Bridge," they almost meet; at one time they did meet, and now it is only a few yards across. I speak now of the Rio Grande. Then on the south side, in the Mexican country, the mountains are from five to eight thousand feet high, and the country is such a desert that one scouting party under Colonel Shafter had to go about ninety miles before they came to water.

Mr. EVINS. What is the location of that region?

General ORD. It extends over about six degrees of longitude and from two to four of latitude, including all the country south of the Rio Grande above Eagle Pass, and as far west as the Conchos River.

The CHAIRMAN. Was that party of Colonel Shafter's sent after Indians alone, or were there Mexicans with them?

General ORD. There are more or less Mexican fugitives and renegades among these Indians, and so the Indians frequently get information from the Mexican towns in regard to the state of our forces. Then there are some places in the vicinity of this northern territory where the population encourage and trade with these Indians. These towns are inhabited by Mexican Indians and Mexican outlaws, and I think it is possible that there may be occasionally an American among them who has found it "healthy" to get out of this country and make his home there.

Mr. WHITE. The country you have been describing is all above Fort Duncan?

General ORD. It is partly north and west of Fort Duncan, but the mountains in which these Indians live and along the range of which they can travel without impediment extend a considerable distance south of Fort Duncan; and to the west there is an extent of country occupied more or less by the Indians for two or three hundred miles, as is set forth in this report of Mexican officers.

Mr. WHITE. What do those people live on?

General ORD. American horses and American cattle, and also on Mexican horses and cattle which they steal; but just now they are raiding principally in our country, because there is a sort of a famine in Northern Mexico this year on account of the severe drought.

Mr. EVINS. What is your opinion as to the character of the members of that commission whose report you have referred to?

General ORD. The commission was composed of intelligent Mexican gentlemen, lawyers and others, and their statements are made with a view to counter claims on the United States for losses incurred by their people.

Mr. EVINS. By whom was that commission appointed?

General ORD. There was a joint commission appointed by the United States and Mexico. I read these extracts from the report of the Mexican members to show that, according to their statements, the whole of that portion of Mexico, for several hundred miles south of the purely Indian

territory, was subject to raids by large numbers of their own Indians for years past, and that some of these Indians were in the habit of making peace with one State of Mexico, where they sold their plunder, while they plundered another, so that they could have always an opportunity to dispose of their plunder and get their supplies. For instance, they are now on good terms with the authorities of Coahuila and New Leon, and they are plundering in Texas. According to my advices the local authorities of some of the Mexican towns in, the very region where the Mexican Government claims to be taking all proper precautions to prevent these incursions, do encourage the raids; and I have been informed that in some instances they have derived a revenue from a tax of so much per head, levied on the stolen stock which passed through their towns; and in one instance, in 1873 or 1874, it was reported by a gentleman there that a revolution grew out of a dispute as to who should enjoy the benefit of these revenues.

Mr. EVINS. When do you say the tax was levied on those stolen cattle?

General ORD. I think it was reported to have been levied in 1872 or 1873. I saw letters from parties living in the Mexican towns, stating that the tax had been levied. A similar condition of affairs can still continue, because the Indians are now their friends, and they doubtless find it pleasanter to have them raid on outsiders than on them, and cheaper to buy the stolen cattle from the Indians than to raise them. Our troops have recently found the camps of these thieving Indians in the vicinity of Mexican towns; we have taken the stolen American stock away from their camps within five miles of a town with which they were trading, and yet, when I, a short time before, sent the Mexican authorities a demand for the return of the property stolen by these same Indians, accompanied by the necessary proofs of robbery, given by a man they had wounded, and of the extent of the plunder taken, they replied in official letters that they could not find the Indians, that they had gone to the mountains. Shortly afterward, however, our own troops, pursuing a band of those indians, found the camp just exactly where I had advices they were when I made my call for them.

Mr. EVINS. When was that report of yours made?

General ORD. About the 10th of November last, I think.

Mr. EVINS. Are these predatory incursions into Texas made exclusively by those Indians?

General ORD. No, sir. During the power of Cortina, a year or two ago, the raids further down were quite frequent and extensive, and they were made by the inhabitants there claiming to be Mexicans, but nearly all those people are Indians by birth or descent; out of the nine millions of inhabitants of Mexico, eight millions are supposed to be Indians or their descendants. There are two classes of Indians, the peaceable, submissive Indians, who live in *pueblos* or villages, whom Cortez found there, and the predatory Indians. The peaceable Indians build houses and cultivate the soil; they are quiet and servile in their habits, and submissive to anybody who chooses to enforce control over them. When I asked one of the band living on the Gila why they didn't rebuild their old towns, he replied that when they were conquered by the Spaniards they lost all heart. The predatory Indians, the Apaches, Comanches, Navajoes, Lipans, Mescaleros, &c., have occupied the mountain regions of Mexico north, as they say, since the "Sierra Madre was born." They certainly were there and were depredating upon the agricultural tribes when Cortez was in Mexico, and they are of the same character still.

Mr. EVINS. I speak more particularly of the recent incursions; have



they been made from that quarter of the country which is inhabited by these Indians, or by the Mexicans proper?

General ORD. It is only down near the mouth of the river that the Mexicans proper, the people who pretend to some civilization, have raided into our country to steal cattle. The raids there were quite numerous when I first took command of the department, and they continued for a year or so, but I gave orders for my troops to cross the river and follow the raiders to their camps. Then up to about six or eight months ago they had been having a series of revolutions, and the parties on the Lower Rio Grande were pretty equally matched, so that knowing of these orders that I had given, and neither party wishing to throw the weight of our forces in favor of the other, they were both pretty careful not to raid upon us, and their beef was no longer drawn from Texas, as it had been under the Cortina *régime*. But now there is a revolution threatened again, and the authorities down on the lower river do not care so much about restraining the raiding population, a large and influential one, and so the raids on the lower border are beginning again. I had a report quite lately of the carrying across of some seventy head of cattle between Brownsville and Ringgold Barracks, by Mexicans. The population on the Lower Rio Grande, which is nearly all of Mexican race on both sides of the river, is uncertain. They have great facilities for crossing and recrossing there without being discovered. About nine-tenths of the population of the frontier counties of Texas is Mexican. I have traveled from Fort Brown to Ringgold Barracks, about a hundred miles, passing probably some one hundred and fifty ranches, and there was only one American ranch among them. The Americans had been driven in, but there were only three or four of them at any rate. I have traveled up and down the river east and west of San Antonio, and I have found that the whole of the laboring class, ranchmen, shepherds, cattle-drivers, &c., with rare exceptions, were Mexican; so that these raiders on the Lower Rio Grande can come over and live on the ranches among friends and *compadres* until the time comes for a cattle-raid, and on the upper river have friends who can notify the Indians lying in waiting near by in the mountains when best to come down and get the horses.

Mr. EVINS. Are these Indians on our side along the borders naturalized American citizens?

General ORD. No, sir; not all of them; some come and go continually, and pay very little attention to naturalization, though they vote when it is convenient.

Mr. EVINS. Are those Mexicans on our side implicated with the raiding-parties?

General ORD. Some of them are and some are not. Even the wild mountain Indians, who speak Spanish, can come and go as they please without detection. At one time one of the principal Indian chiefs was in San Antonio, dressed as a teamster or *vaquero*. Go into a church in San Antonio, and you will see fifty or sixty real Indians, dressed after the manner of the country, and an American cannot easily tell whether they are Indians or Mexicans.

Mr. McCook. What is their object in coming in that way?

General ORD. They can come and spy out the country, so as to know exactly where to get a good supply of horses. Then they can come in across the northern portion of Texas, among the hills. In that country south of latitude 30, and extending from San Antonio east and west, are ranches. By looking at the map you will notice that these little rivers here, ten or a dozen in number, all head about east of San An-

tonio, about latitude 30, then running off to the south. The Kickapoos and Lipans at one time lived in that region, but they were driven out by the Texans into Mexico, and they now live in the Mexican territory opposite, but they know the whole country, are familiar with all the water-holes, and they can cross near the mouth of the Devil River, or higher, or below it among the settlements in Mexico, and continue along through the cedar brakes to the best place for a raid.

Mr. EVINS. What is the extent of country on the Texas side which is inhabited by these Mexicans?

General ORD. It extends back from thirty to one hundred and fifty miles. The Mexican ranches under old Mexican titles embrace all that country between the Nueces and the Rio Grande and south of Fort Duncan. As these commissioners state, a great many people who live in Mexico own ranches in Texas. Quite a number of gentlemen living in Laredo own ranches on our side, and they say that they have been losers by the Indian raids in Texas as well as in Mexico.

Mr. EVINS. Of what strength are those predatory parties usually?

General ORD. They vary in number from five to twenty-five. They come in on foot, and travel along at night until just before the full moon, when they contrive to reach a place where they can make a raid, and then push at a full run, shooting the tired horses and riding fresh ones as needed, to the river, killing any one they come across.

Mr. EVINS. I suppose they usually come, not in organized bodies, but in detached parties, and come together afterward?

General ORD. Yes, sir; they come together if necessary, but it is generally unnecessary, because the smaller the detachment the easier to conceal it.

Mr. EVINS. Are they under any command?

General ORD. They have good commanders of their own people. The Lipans are very bold and desperate, and these people are afraid of them. The servile Indians of Mexico have been accustomed so long to submit to being raided on, that whenever a raiding party comes among them they simply drop on their knees and go to praying. An Apache chief told me that with fifteen or twenty Apaches he went into the town of Tucson, capital of Arizona, and that they met with no resistance whatever until they were going away, when one man shot at them; and he said they went back and demanded the surrender of the man and punished him severely—skinned him alive or something of that kind. That was when the town belonged to Mexico. Then there are certain Mexican towns that are in cahoot with the Indians, in order to protect themselves. I was told in Mexico that if a ranchman wanted to recover a valuable horse that had been stolen, he would go into the town of Jemez, and if the horse wasn't there, wait until it was brought in by wild Indians, and then buy it back at a cheap rate. The same thing has been done in Texas. Mr. Harper lost a valuable mare (valued at \$1,000) in one of the recent raids, and I was told he was trying to get her back from the Lipans, but it turned out that they had disposed of her before he could get her. In connection with this subject of raids I will read, with the permission of the committee, some of the more recent telegrams that I have received and sent, showing the character and frequency of these raids by Indians, and from the wilder and unsettled part of Mexico.

[Official telegram.]

HEADQUARTERS DISTRICT OF THE RIO GRANDE,  
*Fort Brown, Tex., September 15, 1877.*To ASSISTANT ADJUTANT GENERAL, *San Antonio, Tex.:*

They have three more Mexicans under arrest in Matamoras for murder in Texas. They were arrested under the extradition treaty, and have been demanded by Judge Russell, extradition agent for the United States.

SWEITZER, *Commanding.*

Official copy respectfully forwarded by mail.

R. WILLIAMS,  
*Acting Assistant Adjutant-General.*

[Telegram.]

AUSTIN, *October 2, 1877.*  
(Received at San Antonio 7.47 p. m.)To General ORD, *San Antonio:*

The following dispatch has just been received from the sheriff of El Paso County:

"G. B. ZIMPLEMAN:

"Charles Howard taken from me by a large force of Mexicans, tied hand and foot into a wagon, and taken to San Elizario. I was disarmed and kept under guard for four hours. See the governor.

"CHAS. KERBER, *Sheriff.*"

Judge Howard was formerly district judge of El Paso; is son-in-law of my partner Can you take measures for his safety? The outrage is without excuse. Governor Hubbard away until Friday.

B. C. LUDLOW.

[Official telegram.]

HEADQUARTERS DISTRICT OF THE RIO GRANDE,  
*Fort Brown, Tex., October 2, 1877.*To TAYLOR, *A. A. G., San Antonio, Tex.:*

Situation unchanged; hear nothing more of additional Mexican troops. Judge Russell made another demand for extradition of criminals in Matamoras on Friday. No reply received. Brigado, one of the jail breakers, was sentenced to five years in penitentiary for manslaughter committed on soldier about one year ago, court in Rio Grande City.

PRICE, *Commanding.*

Official copy respectfully furnished by mail.

R. A. WILLIAMS,  
*Acting Assistant Adjutant-General.*

[Telegram.]

AUSTIN, TEX., *October 5, 1877.*  
(Received at San Antonio, 5.)

To General ORD:

Governor arrived. Says, in consequence of State troops being two hundred and fifty miles from San Elizario, he appreciates the timely and material service which the sending of United States troops will render the State of Texas. Governor has ordered Judge Blacker to use all legal methods to ascertain the true status, and report governor. Will inform you when report arrives. Following received to-day:

"EL PASO.

"Howard still in jail; also the two judges. The mob still increasing.

"CHAS. KOERBER, *Sheriff.*"

B. C. LUDLOW.

[Telegram.]

HEADQUARTERS FORT STOCKTON, TEX., *October 25, 1877.*ASSISTANT ADJUTANT-GENERAL,  
*Department of Tex., San Antonio, Tex.:*

The stage due here last Monday night is lost. It was last seen near Flat Rocks, about twenty miles east of the Pecos-station. The driver declined to take a guard from Centralia station. I send a detachment of infantry to search for stage.

Official copy respectfully furnished by mail.

M. M. BLUNT,  
*Lieutenant-Colonel Twenty-fifth Infantry, Commanding Post.*

[Telegram.]

HEADQUARTERS FORT MCKAVETT, TEX., November 6, 1877.

TO ASSISTANT ADJUTANT-GENERAL,  
*Department of Texas, San Antonio, Tex.:*

There is a report here that a lot of horses were stolen by Indians yesterday at Junction City, at the forks of the Llano; and also that the rangers had a skirmish with them on Bear Creek; some horses also stolen near Menardville. Have notified Grierson. Has Viele an escort?

ANDERSON,  
*Commanding.*

Official copy respectfully furnished by mail.

THOMAS M. ANDERSON,  
*Major Tenth Infantry Commanding.*

[Telegram.]

CLARK, November 6, 1877.

TAYLOR, *Assistant Adjutant-General:*

Have started couriers to Dolan, of the rangers, at Camp Wood, of the Nueces, and also to Bullis, who is on the Rio Grande, about seventy-five miles above mouth of Pecos. I will start early to-morrow morning a company of cavalry to head of Devil's River, and will try and get them there as soon as the Indians are.

SHAFTER,  
*Lieutenant-Colonel, Commanding.*

Official copy respectfully furnished by mail.

HELENUS DODT,  
*Acting Assistant Adjutant-General District Nueces.*

[Telegram.]

FORT CONCHO, November 7, 1877.

ADJUTANT-GENERAL, *San Antonio, Tex.:*

Mr. Stevens, stage agent, just returned from El Paso, reports that previous to the attack upon the stage at Flat Rock a party of about twenty Indians were pursued by Mexicans and attacked in the mountains bordering the Rio Grande (which side of river not ascertained) [NOTE.—On American side], and five Indians killed and four squaws captured; that the larger party of the Indians moved eastward, and are supposed to be the same that attacked the stage at Flat Rock.

Sergeant Allsup, who was sent to Flat Rock with a detachment from this post in pursuit of the Indians, has returned, and reports that he found and followed the trail southward until it was entirely obliterated by heavy rains; that a party of about ten or twelve Indians were moving southeast.

Yesterday information was received that a party of rangers had attacked Indians twenty-five miles south of McKavett; that stock had been stolen from near Menardville, and that the Indians were supposed to be moving northward, although they may still be going south. Have sent Captain Nolan with a detachment to scour the country east towards the Brady and Mouth of Concho, returning via the Colorado and through the mountains to this post with a view of intercepting them. Lieutenant Landon left this morning with detachment of nineteen men for Clark, and was advised to keep a sharp lookout for the trail, and, if found, to follow it.

Lieutenant Jones, with forty men, supposed to be at present moving south from Stockton.

GRIERSON,  
*Commanding.*

A true copy respectfully furnished by mail.

ROBT. G. SMITHER,  
*First Lieutenant and Adjutant Tenth Cavalry, Post Adjutant.*

[Telegram.]

CLARK, November 9, 1877.

TAYLOR, *Assistant Adjutant-General:*

Following dispatch received just now from Bullis:

"CAMP ON MOUTH OF PECOS,  
"Mouth of Howard's Creek, October 23.

"SIR: Two of my scouts that had been sent up the Rio Grande reported to me that they had found Indian signs about 150 miles from this place, in the big bend of the river. Acting under instructions from the district commander, I crossed the Rio Grande October 23, near the Sierra Puchona, marched toward Sierra Carmel at 11 a. m.; about 20 miles east from Carmel, found three Indian trails; followed one

northwest for three days, and came into the camp in the big bend of the river about 4 p. m., November 1. The Indians spied us some three or four miles distant and set fire to the pass, and came up and opened fire on us from the rocks from our side of the river (Texas). We kept them back; but under cover of night I left the cañons for the safety of my command, and marched back 10 miles and camped in an open place. Recrossed the river November 3. The Indians had cattle with them, and, probably, several hundred head of horses. The country is the roughest I have ever been in. Found six horses on the trail that were lately stolen from Texas, two of which were the property of Bristow.

"JOHN L. BULLIS."

From the courier I learn that the Indians were in camp, and fired on Bullis from the Texan side of the Rio Grande. He also says the Indian herd was estimated at 600. The trail Bullis struck going northwest was made by Indians that last week stole about ten horses near San Felipe, supposed at the time to be Mexicans. There is no guess-work about this, as part of horses found on the trail were some belonging to Bullis's Seminoles, and left in charge of Bristow only a few days before as he went out on his scout. I have ordered Bullis to stop at Pecan Springs, with twenty-five of his best mounted men, and Lieutenant Beck, with Company C, Tenth Cavalry, both to remain there until joined by Colonel Young, with A and K, Eighth Cavalry, who leave camp at reveille to-morrow morning with thirty days' rations. Young will go to the camp of the Indians, and if they have left follow them. They can't go far from where they were left by Bullis, except they go to the interior of Mexico or into the towns of Del Norte or San Carlos.

Bullis's command was no match for the Indians he found. I had sent him out mainly to find a passage through the mountains, and to find water, with a view of going on a scout against these Indians with a large command.

SHAFTER,  
*Lieutenant-Colonel Commanding.*

Official copy respectfully furnished by mail.

HELENUS DODT,  
*Acting Assistant Adjutant-General, District of Nueces.*

[Telegram.]

CLARK, November 12, 1877.

TAYLOR, *Assistant Adjutant-General:*

Following this moment received:

"CAMP ON RIO GRANDE,  
"Via Fort Duncan November 11, 1877.

"COMMANDING OFFICER, *District of the Nueces, Clark:*

"I have information that about thirteen Indians are encamped on the other side of the river, some twelve miles above this point, just opposite to the Orestoral ranch, and that one of them entered the ranch last night, and was scared off by a carbine being brought to bear on him. I am desirous of crossing and striking these Indians, but, as a matter of course, I must obey your last letter of instruction. Striking them when they seem so sure, would simply prevent their crossing and perpetrating their murderous deeds of former times. A courier will await answer at Fort Duncan. I will be in such a position in their vicinity that I can jump them, with the necessary orders, or should they cross and give the opportunity by their own act.

"KENNEDY, *Captain.*"

Letter of instructions to which Kennedy refers is that in no case shall he enter Mexico, except as directed in letter of Secretary of War to General Sherman. I would like to order him to go for the camp, if he is sure of it, and can do so without interfering with any Mexicans. The Indians appear to be right at the river.

SHAFTER,  
*Lieutenant-Colonel Commanding.*

Official copy respectfully furnished by mail.

HELENUS DODT,  
*Acting Assistant Adjutant-General, District of Nueces.*

[Telegram.]

The following was sent in answer to preceding dispatch:

Colonel SHAFTER:

"Say to Colonel Schofield, department commander directs him to communicate to commander of troops opposite, and to General Falcon, the information received from Captain Kennedy, and ask his co-operation to capture or drive off these Indians at once and report result to headquarters. We cannot attack or pursue except on trails of raiders.

"ORD."



[Telegram.]

CLARK, November 14, 1877.

TAYLOR, *Assistant Adjutant General*:

Following dispatch just received from Schofield:

"DUNCAN, November 13, 1877.

"Colonel SHAFTER, *Clark*:

"Schuchard's man has just come in from Lipan camps. Seventeen Indians started for raid in Texas on the 10th, and eighteen on Sunday last; twenty-three remained in camp. The raiders were well supplied with ammunition. They will cross toward Devil's River.

"SCHOFIELD, *Major*."

I have notified Kelly at San Felipe and ordered a party from there to scout up as far as Eagle's Nest crossing to get the trail as it comes in. Have also sent Lieutenant Davis with his Company B, Tenth Infantry, to report to him for temporary duty so that his whole company will be available if wanted. Have started couriers to Camp Wood to notify Lieutenant Dolan of the rangers, and telegraphed the sheriffs of Uvalde and Custoville to send me word at once if the Indians commit any depredations in their vicinity. I also send an officer with detachment to the Sabinal Cañon.

The cavalry company at Duncan, B, Eighth, and K, M, and L, with half of D, Tenth, at this post, and E at San Felipe, will be held ready to follow the trail as it goes out.

I will to-day notify General Falcon of what I have heard, and ask him to assist in the pursuit when they recross the Rio Grande.

I have information that I considered reliable, that for a week Indians have been in Rumolina daily, and that on Sunday twenty-five bucks came in from the direction of the mountains west, and were bragging that they had men enough now to fight the soldiers, if they came across the river, but made no threats of crossing.

SHAFTER,  
*Lieutenant Colonel Commanding.*

Official copy respectfully furnished by mail.

HELENUS DODT,  
*Acting Assistant Adjutant-General, District of Nueces.*

[Telegram.]

FREDERICKSBURG, November 16, 1877—4 p. m.

TO ASSISTANT ADJUTANT-GENERAL,  
*San Antonio*:

Indians were seen on Spring Creek 12 miles west of here yesterday. Stole a lot of horses and left two of their broken-down ponies. They have gone in a western direction. Citizens are after them. This is reliable.

OPERATOR.

[Telegram.]

CLARK, November 17, 1877.

TAYLOR, *Assistant Adjutant-General*:

Following report just received from Camp Wood. I send by telegraph as there will be no mail until Monday. A detachment of Eighth Cavalry have gone to Sabinal Cañon, and citizens of Frio notified where the soldiers are:

"CAMP WOOD, November 15, 1877.

"SIR: Your dispatch, November 14, came to hand on the 15th, and in reply will state, eighteen or twenty Indians were seen on Cedar Fork of the Nueces yesterday, coming down the creek; all of them had carbines, and three of them wore hats. All the settlers on the Nueces have been notified of the Indians and I think they won't get any horses on the Nueces, but most likely they will raid on the Frio and Sabinal, and likely in Kerr County, as there are two parties of them. Lieutenant Dolan is not in camp; he is in Eagle Pass with a scout. They have not stolen any horses to date in this cañon.

"R. JONES."

SHAFTER,  
*Lieutenant-Colonel Commanding.*

Official copy respectfully furnished by mail.

HELENUS DODT,  
*Acting Assistant Adjutant-General, District of Nueces.*

[Telegram.]

CLARK, November 18, 1877.

TAYLOR, *Assistant Adjutant-General*:

Keyes left with his company this morning for head of Devil's River; he will get there by the time the Indians cross the road. Jones left Stockton on the 15th, and

will reach head of river about the same time as Keyes; between them they are likely to get the trail, as Keyes will go on to Lancaster if he does not strike the trail before, and Jones, coming in, will double the road within two or three days.

SHAFTER,  
Lieutenant-Colonel Commanding.

Official copy respectfully furnished by mail.

HELENUS DODT,  
Acting Assistant Adjutant-General, District of Nueces.

[Telegram dated Clark, 1877. Received November 23—2.30 p. m.]

To Colonel TAYLOR, *Assistant Adjutant-General*:

The following just received:

“Colonel SHAFTER, *Clark*:

“McGlone, the operator at Laredo, reports that this a. m. one of W. H. Adams’s peons came in and states that a large party of Indians were seen near Callaghan’s ranch last evening. They were moving in the direction of Fort Ewell and had a drove of horses. Callaghan’s ranch is twenty-five miles from here on the San Antonio road. There is also a camp of Indians at a place called Casyleglias, in Mexico, near Rio Grande, seventy-two miles above Laredo. Stockmen are gathering their cattle. Kennedy has been ordered to be ready to take the trail as soon as it can be found. Indians will probably go out below here. Davis with Company B, Tenth Cavalry, now at Cariza, ordered to go in direction of Callaghan’s ranch, and as soon as he gets the trail to follow it to the river, but not to cross until he is joined by Kennedy, unless he is close to them.”

SHAFTER,  
Lieutenant-Colonel Commanding.

Mr. EVINS. On how many of these occasions have you followed the Mexicans into their own country?

General ORD. About a dozen times or oftener.

Mr. EVINS. What has been the aggregate result?

General ORD. We have recaptured, I suppose, two or three hundred head of horses, captured about a dozen squaws, and killed probably eight or nine Indians in their camps. I speak of what has been done within the last twelve or fifteen months. It was only about twelve or fifteen months ago that I was authorized to cross after them. I cannot give you the exact number of times we have crossed without referring to the records.

Mr. EVINS. What do you think of the policy of pursuing them only when you can follow on a fresh trail?

General ORD. My orders are that when we get sight of the Indians or find a fresh trail, we can cross and punish them, provided there are no Mexican forces in the neighborhood where we cross to do it.

Mr. EVINS. These incursions are made, you say, principally by the Indians inhabiting this Chihuahua region, or are they made principally by persons claiming to be Mexican citizens?

General ORD. The Mexican citizens on the upper part of the river in Chihuahua are quiet and peaceable and co-operate in pursuing the Indians, so that if the Indians bring over any plunder from that side of the river to ours we are glad to have the Mexicans there come over and reclaim it. Lately, since General Trios has become governor, they followed the Indians with some eighty men and a captain appointed by General Trios, I suppose, to the mountains north of Fort Davis, killed six or seven of them, and brought back the stolen horses and three or four squaws, and they are now prepared for another pursuit. They follow the Indians regardless of trails. I gave orders two years ago that when they came over on such occasions they should be treated as if they were our own troops; and in this report (referring to the report of the Mexican Commission) the Mexican part of the commission mention two instances, one where American officers after the troops had crossed asked

permission to pursue savage Indians into Mexico, who had plundered in Texas, and the permission was granted; another where the Mexicans joined our forces in the pursuit, and they comment upon them as an instance of good feeling, and of a desire on both sides to co-operate against the common enemy.

Mr. EVINS. Have these parties that you have pursued been composed wholly of Indians or of both Mexicans and Indians?

General ORD. These parties, it is thought, have sometimes Mexicans with them.

Mr. EVINS. Has any pursuit been made across the Lower Rio Grande?

General ORD. Only in one instance since I have commanded. The country of the Lower Rio Grande has a tolerably dense population on both sides of the river, and on the Mexican side they have what they call "rural troops," and in case of any attempt of our soldiers to cross from our side, as the people across the river are all interested more or less in protecting the cattle-raiders, they give notice very promptly of our movements. The people down there are not like the people in Chihuahua, who are interested in preventing raids. When I asked the late general commanding at Matamoros why he could not get up a public sentiment against this business, he said that the public sentiment was rather the other way.

Mr. EVINS. What was the result of the pursuit on the Lower Rio Grande?

General ORD. That pursuit was made by a company of State troops under Captain McNally, but I told him that I would support him if he got into trouble. He crossed in pursuit of a number of raiders and he found them, but they refused to give up the herd, and the news spread rapidly; four or five hundred men appeared against him; then, fearing that he might come to grief, a company of regulars crossed to his support, but he got back safely, bringing some thirty or forty head of cattle with him. His force, however, was only thirty or forty men, and it was looked upon as a risky enterprise.

Mr. EVINS. The people of that part of the country, you say, are in sympathy with the raiders?

General ORD. Pretty much so. They are a bad population made up to a considerable extent of deserters from the French and Mexican armies. They recruit their army in Mexico by cleaning out the prisons and seizing the poorer classes, people who have no nice clothes or visible means of support, and so their deserters are a pretty bad set.

Mr. EVINS. I suppose these raiding-parties are well armed, and well prepared to make fight?

General ORD. They are very well armed and the Indians are a match man to man for any ordinary party. They have the same sort of arms that our people have, the best breech-loaders, and they know how to use them.

Mr. EVINS. What arms have they?

General ORD. They have the Spencer and the Winchester rifle, and sometimes the Henry rifle. In the trading establishments along the banks of the river you will find all the latest improved arms, and the Indians are kept supplied with them.

Mr. EVINS. How do they get them?

General ORD. From the traders, I think. They have fine horses to give in exchange for them, and they can get all the arms they want, even in our own towns. A trader, when he has arms to sell, looks only at the money, not at the face of the purchaser.

Mr. EVINS. Can you give us an idea of the number of raids that have been made since you have been in command there?

General ORD. Until about three months ago, we had an Indian raid every moon for the last two years from some source or other, and sometimes two or three raids in one moon; and at one time there were fourteen men killed along the track of the raiders lest they should give information to the authorities. That occurred about a year ago, in about the latitude of Fort Clark. The country raided by the Indians is the district I have specified south of the latitude of 30 and extending down toward Laredo. They come in at about latitude 30, and I have been in the habit of picketing the heads of the river-valleys so that information of their coming can be sent by telegraph, and the troops turned out so as to cross their track before they reach the river. But I labor there under peculiar difficulties. It is a good deal like the case of a man who has eight or nine thousand sheep scattered along a stretch of country where the wolves can come in in the night at almost any point and run off his sheep, and he only pursues the wolves beyond his ranch unless he can strike a fresh trail; of course, he must have plenty of herders and keep a very sharp lookout.

Mr. MAISH. Where were those fourteen men killed?

General ORD. Along the neighborhood extending from the head of the Llano River to the Rio Grande.

Mr. MAISH. I understood you to say that it was in the neighborhood of Fort Clark.

General ORD. Well, Fort Clark is a center.

Mr. MAISH. Were any of them killed south of Fort Clark?

General ORD. Yes, some were killed south of Fort Clark. My troops had shortly before crossed on a trail of horse-thieves and murderers, and struck their camp, and killed and wounded a number of them, recovering quite a large herd of stolen horses; and the next raid these Indians made they killed every one they could. Generally, they only kill those in their trail who may give information of their course and of their men engaged.

Mr. MAISH. Who was it that you say crossed over into Mexico and provoked that raid?

General ORD. We didn't provoke the raid. Our people crossed in pursuit of a prior raiding-party, and recovered some of the property and killed some of the Indians. I think Lieutenant Bullis was in command of the party.

In El Paso County in Texas, there has been some local trouble. The Mexican population have taken possession of the county, and the governor of the State sent up a small detachment of his troops, and at the same time requested me to aid him with regular troops. The Mexicans there have ousted the American officers and refused to pay taxes.

The CHAIRMAN. Do you say that Mexicans have come over and taken possession of an American town?

General ORD. It is partly the population of the county, the people who live on both sides, but they have been commanded, so the governor tells me, by prominent men from the other side. I had a long letter from the governor in which he gave the names of the Mexican leaders who have taken possession of the county, and two or three of them are Mexicans. They refuse to pay taxes, and claim that they are Mexicans. This shows that in case of serious difficulty between the two countries their sympathies will be with Mexico.

The CHAIRMAN. Are not the Texan authorities able to take care of themselves?

General ORD. No, they are not. There is a population of about 20,000 Mexicans all along that border, and they have defied the Texan authorities time and again. The authorities are unable to suppress raids or an extensive insurrection, and so the governor has, once or twice, called upon me for military aid.

The CHAIRMAN. That is, for aid to keep in subjection the population of Mexican race living on our side?

General ORD. He doesn't want me to keep them in subjection; he wants me to prevent them from receiving aid from the Mexican side of the river.

Mr. McCook. You have general orders, I suppose, to respond to that kind of demand by the government?

General ORD. Well, I have done so without waiting for orders. Whenever any aggressive measures are threatened from the other side, I look upon it as the duty of a commanding officer to afford protection so far as he can.

Mr. EVINS. In how many of those counties have such disturbances occurred?

General ORD. At one time, pretty much the whole of Starr County was in possession of the Mexican raiders from across the river, and the State judge asked me to furnish him with escorts on his rounds to hold court; and the Catholic bishop requested an escort in traveling backward and forward in that county. I have also to escort the United States collectors every time they pass to and fro, if they have any funds. El Paso is another such county. Still in another county the Mexicans crossed over at Rio Grande City quite recently and captured the jail, and released the prisoners, and we turned out the military to protect the citizens. At one time Cortina captured that town, and held it for three days. If I were to abandon those towns a great many of the people would leave. Cortina also captured Brownsville at one time.

Mr. McCook. That was near the mouth of the river, but this last affair was about one thousand miles above?

General ORD. Yes; but you know the frontier of Texas is very extensive; about as long as from here to Maine.

Mr. McCook. I suppose that those Mexicans on our side still claim to be American citizens, and vote at elections?

General ORD. They all vote when they can. The difficulty in El Paso County arose from an attempt of certain parties to secure salt-ponds on this side of the river which had been regarded as common property by people on both, and used by the Mexicans for a long time. These parties located the ponds as private property, claiming under the laws of Texas, and prohibiting the Mexicans from getting salt there, which gave rise to the difficulty. The trouble was also fostered, probably, by a little feud that existed between two prominent American citizens, one a member of the legislature and the other a lawyer, from which resulted the death of one of them.

Mr. McCook. When you say "Mexicans," you mean Mexicans by language and race, but American citizens?

General ORD. I mean that they are Mexicans by language; it is difficult to say how many are naturalized. One trouble along the lower frontier is that after a revolution, the members of the losing party, who are afraid to stay at home, cross over to our side, and as they are usually needy and not very scrupulous, they are inclined to plunder.

Mr. EVINS. What force do you think is necessary for the protection of the border against incursions from the Mexican side? Is the force that you now have sufficient?



General ORD. When I left there, I had, as I have stated, about two thousand nine hundred men. I had made application for a regiment of cavalry, and I stated also in my application to General Sheridan that I would like to have a regiment of infantry in addition to my present force. I look upon it as absolutely necessary in order to carry out my present instructions. It will not do now for me to follow these parties into Mexico with a trifling force, because the Mexicans are rapidly augmenting their forces; they expect to have between five and six thousand troops along the border very soon, and their orders are to resist any crossing by our troops, and to repel force with force.

Mr. McCook. You have positive knowledge on that point?

General ORD. I have the official orders from commanding officers published in Mexico in their official journal.

Mr. McCook. Those orders are by the Diaz government?

General ORD. Yes. In connection with this subject of raids I will read you a letter which I have received from Colonel Shafter since I came here. It is dated November 24. That was about the full moon. Three parties of Indians had crossed from Mexico. There was a party that had crossed and had been pursued by Lieutenant Bullis up near Devil's River, and he had been driven back (see his dispatch). In the telegraphic report to me he stated that they had 600 head of stolen cattle, and he was re-enforced with three companies of cavalry, and they are now up in that wild country. As I have already stated, the Mexicans had never made any complaint about our raiding in that country. This is Colonel Shafter's letter:

FORT CLARK, TEXAS, November 24, 1877.

DEAR GENERAL ORD: I inclose you two letters sent me by Lieutenant Bullis. They appear to me to be of interest just at this time, as confirmatory of the reports we get from various sources as to the movements of the Indians.

Young is now well up the Rio Grande, not far from San Vicente; Keyes at head of Devil's River to look out for the Indians that were reported near Fredericksburg; Hunt, with fifteen men, is scouting from mouth of Devil's River to Eagle Nest Crossing of Rio Grande, forty miles above mouth of Pecos; Pond, with similar detail, is in Sabinal Cañon; Davis, with Company B, Tenth Cavalry, is at Pendencia and Corigo, southeast of Duncan, and is now scouting toward Callahan's ranch on the Laredo road, where Indians were reported Sunday; Kennedy, with his company, is on the river, about seventy miles below Duncan. I hope that some of these parties will strike the Indians as they go out.

So far, I do not hear of any horses being stolen.

I telegraphed to Uvalde and Castroville as soon as I knew of the Indians coming over, and the people had nearly a week's notice to look out for their stock, and perhaps the Indians will not be able to get hold of many this time.

Yours, very truly,

W. H. SHAFTER,  
Lieutenant-Colonel, Twenty-fourth Infantry.

This shows that to meet a party of eight or ten or maybe thirty Indians, crossing where they please, I have to scatter five or six companies or more over a great extent of country with a very remote probability of striking their trail. I am ordered to cross after them only on a fresh trail, and if a rain comes the trail is obliterated, or if the Indians scatter before they reach the river it amounts to the same thing; or if there is a force of Mexican troops at the point where they cross they sometimes divide the plunder with the Mexican soldiers.

Mr. McCook. With the Mexican soldiers?

General ORD. Yes; the raiders pay them a kind of tax for the privilege of getting through duty free; you see they are in a hurry, as our troops may be on their trail.

In describing the Mexican population in Texas, I do not wish to leave the impression that they are all friends of raiders, or a bad population.

It is probably the most reliable laboring class we have on that frontier, generally preferred by land and stock owners as farm-hands, shepherds, &c., to any other, and almost the only laborers in some districts. As a rule, they are far more reliable than the military adventurers who mislead and plunder the same class on the south side of the river. I would like also to add that in most of the frontier towns of Mexico robber chiefs live more or less undisturbed, and that it is a recognized vocation like that of the tailors, shoemakers, lawyers, &c., and the coming and going of the bandit chief and his band is known, their success, &c., the talk of the town, and as long as he plunders only outsiders it is all right. He and his band are also much sought for as guards to trains or *conductas*, it being a sort of point of honor that when he is employed and paid, as against opposition robbers, he will be faithful. I have reason to know that there are so many sources of revolutions on the border and in Mexico—so many more who profit by revolutions than there are now who can profit by peace, and that the leaders are so unscrupulous—that it is next to impossible for any government, however well disposed, however anxious to do right, to remain long enough in power to get rid of these elements of danger to our frontier. Foreign merchants in some of the frontier towns of Mexico frequently (I am informed) get up a sort of corner on a revolution and make very large profits. A revolution leader of the outside partisans in Mexico, who always outnumber the officials, will issue custom-house permits to pass foreign goods, duty free, to the amount of one or two hundred thousand dollars, to be good as soon as he gets control, and sell these for the loan of five or ten thousand to the ring of merchants; with the proceeds the sellers buy arms and pay some dissatisfied desperadoes who probably were the officials at one time and may have just been revolutionized out; these customs-permits are again sold perhaps for half their face value to all the merchants with goods ready to pass in. Part of the five or ten thousand dollars is used skillfully among the ill-paid troops who pronounce, and the town or State government flies across the border till they are called back perhaps by a similar proceeding in their favor.

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., December 6, 1877.

Examination of General ORD continued.

By Mr. EVINS:

Question. Resuming where we left off yesterday, what, in your opinion, is the force that would be necessary to give protection to the people of Texas against incursions from Mexico, and into what arms of the service would you have that force divided?—Answer. I stated yesterday that I thought that 5,000 troops would be sufficient to carry out existing orders. The raids vary at different times and according to the character of the authorities who happen to be on the opposite side and according to the revolutions that prevail. For nearly half the time that I have been in command in Texas, revolutions have been prevailing in Mexico more or less, and parties have been engaged in hostilities within gun-shot of Brownsville, Laredo, and Eagle Pass. A siege has been going on at one of these for several months.

Q. How would you have that command distributed between the different arms of the service?—A. I would have to scatter the force according to the character of the authorities on the opposite side and according

to whether they were disposed to co-operate with me in a friendly feeling or the reverse. There ought to be at least three-fifths of the force cavalry. The Indians retreat over the country from 100 to 150 miles, moving very rapidly, so that in order to reach them in time we should have enough cavalry. There ought to be some artillery, and for that reason I have asked and the government has ordered four companies of artillery to be sent there. The remainder should be infantry. When the forces now under orders for Texas arrive there, and the companies are filled up according to the law, I shall have about the 5,000 men needed.

Q. Will you then have the number of cavalry that you desire?

A. Yes, sir; I shall have about three-fifths cavalry.

Q. With that number of troops do you think you will be able to prevent these predatory incursions into Texas?—A. If a proper spirit is shown by the authorities on the other side to co-operate with me, I think I will.

Q. You spoke of this country that is principally embraced within the limits of the State of Chihuahua as being a sort of *terra incognita*, inhabited by people who commit these raids upon the Texas side. Have you ever had any complaint from the Mexican side on account of the pursuit of these raiding Indians into that country?—A. No, sir; I never have had any complaints directly from the officials of Mexico, although reports have been made to the central government, and the central government has sent notice in a recent instance that our troops had invaded Mexico and had approached within three leagues of the town of Saragosa.

Q. You stated that that country is inhabited almost entirely by those Indians who live exclusively by stealing?—A. Yes, sir; the country into which we pursue raiders.

Q. Do you think that pursuits into that region of country, made under the orders as they exist now, would be likely to create any collision with the Mexican authorities?—A. I think not; as I said before, it depends a good deal upon the character of the authorities who happen to be temporarily or otherwise in power on the other side. My pursuits of raiding Indians into that region were under the Lerdo *régime* with the consent of the authorities on the opposite side of the river and up to the time of the accession of Governor Charles, in Coahuila; and it was only because Governor Charles took great umbrage, espousing the side of the savages, and made serious threats of hanging any person who gave us aid or information against them, that representations were made which induced the President to give the orders authorizing the pursuit.

Q. With the 5,000 whom you have there, can you not give such protection to the Lower Rio Grande from incursions in that direction as to make it unnecessary that any pursuit should be made across the Lower Rio Grande?—A. That is a very difficult question to answer, simply because the population on the Lower Rio Grande in Mexico do not have the confidence of the intelligent authorities of Mexico. General Benavidez, when he was there as the agent of the central government to give the necessary directions for the return of the parties who broke jail in Rio Grande City and released the criminals, was compelled to leave Matamoras at night and in a great hurry, and I think without his baggage. And where these people show no respect to their own authorities it is very hard to tell what they will do in reference to raiders.

Q. Have your orders with reference to this pursuit of raiders into Mexico been modified recently?—A. Yes, sir; so modified that I hardly

think that any intelligent government on the other side, which was at all disposed to respect the rights of neighboring people, could take exception to the orders as they stand, unless it was determined to encourage the raiders and to do all the harm to our frontier that it could do.

Q. In what respect have the orders been modified?—A. The directions were to follow on a fresh trail. They were afterwards modified so that we should only follow where there were no Mexican troops in the vicinity who might be authorized and empowered to pursue the raiders and to make a restitution of the property.

Q. You were only to follow where there would be little danger of collision?—A. Under these orders there would be little danger of collision unless the Mexicans were anxious first to raid into the United States and afterward to complain because we did not wish to be raided upon.

Q. Do you know anything now of the operations of Cortina?—A. No, sir.

Q. Give us in brief an account of the principal raids since you have been in command in Texas.—A. My annual reports for the last two years and a half will give you a summary of the character of the raids.

Q. To what date does your last report bring us up?—A. Up to about the 8th or 10th of November last. If you refer to the report of the committee of the last Congress, of which Mr. Schleicher was chairman, you will find quite a number of the raids definitely given with the names of the killed, &c. At that time, Cortina was in power in Matamoras, and there were two steamers which had come from Havana to carry beef and supplies to the Spanish troops, and proof was before the committee that Cortina was the contractor to supply this beef. An investigation showed that the hides and the beef were from Texas cattle in nine cases out of ten. Cortina was also sending hides to Cuba, and there was proof before the committee that in one case the raiders were pursued and overtaken by a detachment of State troops and that every one of the raiders was killed except one or two, who were badly wounded. They were found to be Cortina's employés. The officer of the State troops in command had learned the whereabouts of this raiding party by means which I could not legally resort to, but which were the only means of getting at the actual facts. He had caught one of the number and had lung him up until he was made to confess where the rest of the raiders were.

Q. Do you not think that in the present temper of the people on the Mexican border and of the Mexican Government, these pursuits into their country, especially on the Lower Rio Grande, are likely to involve us in collision with the Mexican Government?—A. A gentleman from the center of Mexico told me some months ago that there was as little known and cared about what was going on on the frontier as we here know or care what is doing in Alaska. The indifference of the frontier authorities to the Mexican Government has been shown in a great many instances. In the center of Mexico the authorities may for their own purpose create an impression that there is danger of war on the frontier, and that the true interests of the country would be to stand by the present government while such danger threatens; but that is not for the purpose of taking care particularly of the frontier interests; at least, that is my impression. This incident, where 10 or 12 of the raiders were killed, occurred, I believe, on the 10th of June, 1875. I would like to add, in general terms, that the very worst class of people of Mexico drift up to this corner at the mouth of the Rio Grande, and that their own authorities have confessed time and again their inability to control them. It is the same on the Upper Rio Grande, in the extensive district of country north of Fort Duncan and north of Saragossa. That is a sort of

desert country and the Mexican authorities confess that they have no control over it. That is stated in this official report of the Mexican commission. It is also stated here that from 1847 to 1857, the number of persons killed, wounded, and carried into captivity in Nuevo Leon alone, was 652. These acts were committed by these same Indians who it was assumed were then living in the United States, but many of whom are now living in Mexico. In this same report it is stated that the plan adopted by these Indians was to rendezvous in the Mexican territory, far away from settlements, and to fortify themselves with all secrecy and precaution, and carry on simultaneous forays, returning to these Mexican mountains with their booty. The report adds that afterward the Indians would sell their booty in the United States. Now, they sell their booty, which they carry from Texas, in Mexico. That shows the extent of the unknown country, and the facilities for the Indians remaining entirely secreted from the authorities and people of Mexico.

By Mr. MARSH :

Q. You spoke yesterday of the people on the Mexican side of the Rio Grande as being composed of Indians, and being divided into two classes, the predatory Indians and the servile Indians. Do they constitute the bulk or the whole of the people west of the Rio Grande along the border?—A. I think they constitute the bulk of the whole population of Mexico.

Q. And when you speak of the servile Indians you mean the Mexicans proper?—A. I mean the Mexican Indians. Geographical statistics state that about eight or nine tenths of the people of Mexico are Indians or of Indian descent. There are a few of negro descent, and there are what they call *gente de razon* (intelligent people), but they do not constitute more than one-tenth of the whole population.

Q. Then the population on the Mexican side of the Rio Grande, from Fort Duncan to its mouth, is composed mostly if not entirely of the servile Indians?—A. Yes, sir; but they do not like to be called Indians, because that is a term of reproach in that country; but you cannot distinguish between them and wild Indians when they dress alike. The Pueblo Indians, the lower classes, the Peons of Mexico, constitute from sixty to one hundred different tribes, speaking different languages, and having different habits, and I conclude that they are all of the Indian race, and either servile Indians or predatory Indians.

Q. How large a military force is necessary to protect the border from Fort Duncan to the mouth of the river?—A. I have now there, I think, about six companies of cavalry and about as many small companies of infantry. The companies of infantry are quite small. I would like to have that force increased by about two companies of artillery and five or six companies of infantry, with a view of having the cavalry able to cut loose, leaving the infantry on guard at the posts in case of necessity.

Q. Do you mean to be understood that it requires about 5,000 troops there to protect the border from the incursions of those cattle-thieves, or are they required for another object?—A. I believe they are required for the purpose of protecting the border. In my report I called attention to the fact that Mexico is subject to very-frequent revolutions, in which the parties plunder each other and have no scruples, and that the losing party takes refuge in the United States. These revolutionists are composed of a very bad people—the desperadoes and bandits of Mexico. When they start a revolution, and when they are driven out, they



do not improve by crossing over. That class of people has to be looked after.

Q. Is it your idea that a force of 5,000 men is necessary as a means of deterring Mexicans from making these raids?—A. Yes; and for keeping general peace on the border.

Q. That large force is not necessary, in your opinion, to repel the incursions that come over?—A. I wanted to show the committee how much larger a force it was necessary to keep along the border to prevent raiders, or to repel them when necessary, by showing the distribution of troops which existed on the 24th of November last, when that letter which I produced yesterday was written. Five or six companies of cavalry and some infantry and scouts were scattered along the river, and were scouting over certain places with a view of trying to get on the trail of two or three parties of raiders who were then in the country. I stated that it was a good deal like a man trying to guard a large flock of sheep, scattered over an extensive territory, from wolves, when the wolves could come in at any point, and when the man had to wait until the wolves got in before he could attack them, or had to find the trail where they got in or got out before he could follow them. The necessity of a large number of troops would be manifest only to persons who are familiar with that country, and who know the ease with which raiders can come in and get out.

Q. Is there anything in the present attitude of the Mexican Government toward this country which you have taken into consideration in basing your estimate that it is necessary to have 5,000 men on that border? In other words, is there anything in the attitude of the Mexican Government to justify or warrant our government in keeping what may be called an army of observation on the border?—A. Yes, there is to a certain extent, because the attitude of the authorities on the opposite side never can be understood beforehand. You never can tell what turn things are going to take, whether favorable or unfavorable, and you have to be fortified for any emergency.

Q. Then you would have the size of our army on that border regulated somewhat by the size of the Mexican army on the other side?—A. No, sir; I would keep a permanent force there that would provide for almost any emergency, because the Mexicans are in a state of chronic revolution half the time, and our own towns as well as theirs are liable to be plundered and pillaged whenever a revolution occurs.

Q. Do you know the force of regular Mexican troops under the direct orders of the central government that have been located along that frontier during the time of your command in Texas and that are there at the present time?—A. Yes; I have acquired information from time to time of their force. The force varies very much and it is a very hard matter to say it is composed of regular troops, because they have all sorts of troops there, and both sides would call their own troops regular, as both sides often claim the government at the same time. At present, they have about 2,000 troops there. General Trevino told me he had 4,000, but I have estimates to show that he had really about 2,000 troops along the frontier and within three or four days' march of the river.

Q. General Trevino is an officer of the central government?—A. Yes, sir; he is commander of the northern frontier of Mexico, extending from Arizona to Tamaulipas.

Q. Did he include in that number the irregular State troops or militia?—A. No, I do not think he did. He told me he had about 4,000 troops, but I cannot account for more than 2,000, and I thought that

there was a little disposition to exaggerate the number. Since that time quite a number of troops have been ordered there.

Q. Are there now Mexican troops along that border who are not troops of the central government but are troops of the State?—A. Yes, they have troops along the Lower Rio Grande especially which they call "rurales," or rural forces, meaning the frontier or ranch troops.

Q. Do they answer somewhat to the militia of this country?—A. No, sir; they are like what minute-men would be on a frontier where difficulties arise at any moment. On the Lower Rio Grande they assemble to protect any raiding-party that may cross, and to prevent its being attacked if we should follow it afterward.

Q. Then these rural troops are under the orders of the State government?—A. They are generally under the control of the biggest man in the neighborhood; a fellow who is recognized as being disposed to help the raiders, without any respect to the government.

Q. Do the State governments have militia troops there subject to their order or under their pay?—A. The troops pay themselves when they can, and it is very hard to find out what the State government is. This State government changes very often, and you will find sometimes two or three competitors for the State government—little independent governments floating around and helping themselves to what they can find. The country is often in a state of anarchy a good part of the time, and you cannot base any calculations upon the existence of any particular thing for any great length of time, unless you go into the principles or rather want of principles of the people. Along the lower border where the people are in the habit of helping themselves to what they can get, and of striking in on any loose herd of cattle they can find, towns are organized, and if a man goes there to try to recover his property he is very apt to be told that it is not safe for him in that town and that if he remains he will be killed; and he will be very apt to be told that by the alcalde, who frequently is one of the recipients of the stolen cattle. If you want to get your property back, you will probably have to employ the same fellow who stole it, to steal it for you back again, and that will be found cheaper than getting it restored by the authorities.

Q. Then you understand these rural troops to be protectors of these thieves?—A. Yes, on the Lower Rio Grande. As you go up the river, you get into a better class of population. In Chihuahua the people are owners of property and they try to maintain order and to keep up a good feeling. They follow the Indians to this side by permission of the military authorities.

Q. Do you know anything of recent movements on the part of the Mexican Government, which indicate that a large number of troops are being forwarded to the border?—A. Yes; I was reading a short time ago, and have now in my pocket, an article from the official journal of the city of Mexico, stating that some 4,700 troops had been ordered to the Rio Grande under General Trevino, and that there was a proposition to follow them up with 2,000 more, and that authority would be given him to organize State troops.

Q. Does that paper indicate for what purpose these troops are being sent there?—A. It might indicate one thing in Mexico and quite a different thing here.

Q. What does it indicate on its face?—A. The paper indicates on its face a disposition to try and put a stop to disorder, and at the same time to prevent any invasion of Mexican territory from this side of the river.

Q. Have you a copy of that paper?—A. I have a copy of the article from the Diario Oficial of November 12, which reads as follows :

Las invasiones de filibusteros y sobre todo la de Indios barbaros, son un grave peligro por los inmensos daños que ocasionan á aquellos desgraciados habitantes ; pero sin ser superiores aún á los recursos ordinarios de los Estados fronterizos, el gobierno los atiende con dos divisiones al mando de los Generales Treviño y Canales, fuertes de 4,792 hombres de las tres armas, y que se reforzarán muy prontamente con una tercera division de 2,000 hombres. Tal fuerza, es sin duda bastante, para conservar la tranquilidad en aquella parte del territorio nacional, y para impedir ó reprimir cualquiera intentoná de las que por ahora pueden preparar los voluntarios del otro lado del rio.

The following is a translation :

The invasions of filibusters and particularly of Indian savages, are a great danger on account of the immense losses which they cause to the unfortunate inhabitants ; but, without being superior, except to the ordinary resources of the frontier States, the government is providing for them by two divisions, under the command of Generals Trevino and Canales, 4,792 men strong of the three arms of the service, and which will be quickly re-enforced by a third division of 2,000 men. Such force is doubtless sufficient to preserve the peace in that part of the national territory and to prevent or repress any of those attempts which, at present, the volunteers of the other side of the river might be preparing.

Q. Have you seen a copy of the order to which that article refers?—A. I had a copy of it among my papers, and if I find it I will insert it in the testimony. It bears date some time in October, I think.

Q. Does that order indicate for what purpose the troops are being sent to the border?—A. I read the order, and it can be made to cover almost any ground.

Q. If there are six or seven thousand additional Mexican troops sent to that border, do you think it will be necessary to increase the aggregate of our forces on the Rio Grande five thousand men?—A. No, sir ; I do not.

Q. Do you think that this additional Mexican force from the central government will tend to repress or suppress those thieving raids from the Mexican side into Texas?—A. If the central government could pay its troops, and if they would act in good faith, it would have that tendency ; but the Mexican Government generally lets the troops pay themselves in the best way they can. They have to be provided for by the people with whom they live, in a great measure ; and they are very apt to run into revolution or to desert, and when they do so they only add that much to the already existing bad raiding element on the frontier.

Q. Do I understand you to say that the Mexican Government does not pay its regular troops?—A. That is the impression which I derived from the statements made to me by various Mexican officers. The commanders of troops are in the habit of assessing the town and country people by a system of what they call prestimos, and these prestimos are not confined to horses, cattle, and such like, but extend to money and jewelry. They levy prestimos on foreign merchants. The first thing that revolutionists do is to levy prestimos, and often after levying one they will withdraw and let the other side come in and levy one, and then both sides will divide the plunder. So it is very hard to tell what the system in Mexico is, and how the government is going to act ; and it is for that reason that we want a sufficient force on the frontier to meet these continual changes and new emergencies.

Q. Have you any objection to giving the committee your own opinion as to the object of the Mexican Government in sending these additional troops to the Texas border?—A. My opinion is very much what has been already stated, that the safest plan is to be ready for any turn that things may take. I would not pretend to say what that may be. My impression is that General Diaz is trying as far as he can to be a good

neighbor and to do what is right, but his ability to do so with that sort of people may be very little.

Q. Will the accession of seven thousand regular Mexican troops on the frontier conduce to a better or to a worse condition of things there?—

A. Judging from the past, the arrival of troops on the lower rivers in Tamaulipas has not improved the condition of affairs. A good many have deserted in former times and have become raiders. The worst raiders that we have had there after the late war in Mexico belonged to the regiment of Maximilian's Frontier Guards. An officer who was formerly a captain in a Wisconsin regiment reported that there was scarcely a man of that regiment who had not committed a murder.

Q. Who was that captain?—A. I gave his name in my last report. He was a sort of provost-marshal on the river, and his regiment picketed the river below Ringgold Barracks; that was about the close of the civil war in Mexico. These soldiers had been ordered up as frontier defenders, to prevent incursions on the frontier. They were under the particular central government that prevailed at that time, and which was as regular as the governments that they generally have there.

Q. Do you know the number of cattle that has been stolen in Texas during the time of your command there?—A. I have no means of arriving at a correct estimate. It is very difficult to arrive at a correct estimate of the number of cattle in that country, or of the persons to whom they belong, because during the great "northers" the cattle are driven down into the corner of country between the Gulf of Mexico and the river, where there is a dense chaparral, almost impenetrable, and extensive groves of oaks, where the cattle find protection from the "northers." You may find there, after a great "norther," cattle from probably a dozen counties, and having three or four hundred different brands. The owners of the cattle do not know where they are; and the men down there gather up these drifting cattle and hold them until the owners come, and if the owners do not come, as is the case very often, they have all the more profit.

Q. Has the Army been used in Texas during your command there for any purpose than that of repelling raiders from Mexico?—A. Yes, sir; I was directed to carry out the neutrality laws, and to prevent organized armed bodies from invading Mexico, and in some three or four instances parties who were organized were arrested under writs and brought before the civil authorities and were placed under bonds for attempting to violate the neutrality law.

Q. Can you give us specifically the times when these instances occurred?—A. I cannot without referring to papers which I have not with me. General Escobedo and a party of sixteen officers were arrested some months ago by a small command from Fort Duncan. They were organizing, as was believed, for a raid into Mexico.

Q. Were they Mexicans or Americans?—A. They were Mexican officers, from the rank of colonel down, General Escobedo being at the head.

Q. What was the file composed of?—A. It was afterward supposed that these officers were courting arrest with the view of making it appear that they were the victims of Yankee atrocity, and for the purpose of getting up a feeling on the Mexican side in their favor.

Q. Has the Army been used for any other purpose beyond that which you have mentioned; has it been used in contests between county governments?—A. No, sir.

Q. Was it used in the recent disturbances near El Paso?—A. No, sir. Parties of lawless men on the border sometimes rush into a town

and commence shooting; the civil authorities of the town complain that they have no control over them and they request a military guard from the nearest post. That guard has sometimes been afforded to protect the lives and property of peaceable citizens being interfered with.

Q. Interfered with by whom?—A. By some lawless band. You can well understand that on this border, remote from dense population, they are liable to such bands as these, and that parties or pillagers or horse-thieves may come in and create disorder. In such case, where the commander of a garrison can afford protection, he does so. That has only occurred, however, in one or two instances, and recently State troops have been organized, and such disorders have been suppressed, and no assistance of the kind has been required from the Army for months past.

By Mr. MILLS:

Q. In regard to the following up of the Indians by Bullis, McKenzie, and Shafter, across the Upper Rio Grande, what was the effect of it upon the Indians up there?—A. After orders were issued by the President, and after our troops were distributed with a view of following up the raiders, and when guards were posted for some time at the various places frequented by these Indians, there were two moons when there were no raids, which was something very unusual. It was the first time for a long period that such an immunity from raids had occurred.

Q. What do you think is the most effective mode for protecting the people on our side of the Rio Grande—keeping a force purely defensive on this side of the river and taking the chance to catch and pursue the raiders on this side, or following them across the river and inflicting punishment on the parties?—A. As I recommended that the only mode of reaching the evil would be to follow the raiders, and as I stated frequently in my official reports that in no other mode could the difficulty be reached, I of course consider that there can be no comparison between the two modes.

By Mr. GIDDINGS:

Q. What is the feeling existing on the part of Mexicans toward Americans, or Gringos, as they call them, and what is your opinion as to whether or not that prejudice and hatred of Americans is so prevalent among the Mexican troops that whatever may be the wish of the central government of Mexico, it will be very difficult for it to control the men so that they will be quite likely to break from their command and join the raiders?—A. The Mexicans are peculiarly an impressionable people, and are governed by the sentiment of the moment. In their revolutions with each other you would be surprised at the sudden changes of sentiment which take place in the army. I was told not long since, that on one occasion one army engaged another, and that after the victory some small additional force came up to the beaten side and joined it, and when a movement was then made against the other army, this victorious army threw down its arms *en masse* and went over to the other side. They are very bitter in their denunciations of each other in prints and in conversation. I have been told that the safest and most reliable men to hire as guards and conductors of silver-trains are the worst bandits. So long as you employ them they are faithful, but as soon as you discharge them they will rob your own party.

Q. Would it not be very difficult for the officers of the Mexican Government, however good their intentions may be toward our government, to control their men?—A. I think the men from the interior, if properly treated, would be very easily controlled.

Q. I mean to prevent their deserting and joining the raiders.—A.



That would depend very much upon the manner in which they are fed, and clothed, and paid. As long as they are taken care of and provided for properly, there is not much danger of their desertion.

Q. From your knowledge of the manner in which they have been paid and provided for heretofore, would not the mass of a large number of troops such as compose the rank and file of the Mexican army be liable to breed disturbance by desertions and by joining with the raiding parties?—A. I think that if they are not properly taken care of, they are just as likely to produce difficulties as they are to quell them.

By Mr. BRAGG:

Q. I understood you to say that there were troops under orders to re-enforce your command, and that that would give you all the force that you require. Is that so?—A. Yes, sir; about all.

Q. What troops have been ordered to Texas and from where?—A. Six companies of cavalry from Fort Sill, under the command of General Mackenzie, one regiment of infantry from the Department of Dakota and four companies of artillery from Carlisle Barracks.

Q. To what extent would these organizations have to be filled up in order to give you the necessary force?—A. If the cavalry companies were recruited to 100 men each, that would make 3,000 cavalry, which would be just three-fifths of the 5,000 men I mentioned.

Q. How many men are now in your cavalry companies on the average?—A. About from 60 to 70 men.

By Mr. WHITE:

Q. If all the troops were withdrawn from the Texas border, what do you think would be the condition of that country?—A. It would be a good deal like the condition of the Northern frontier, with the Sioux on the Canada border, if you were to withdraw all the troops in that vicinity. They would come in and help themselves to whatever they wanted.

Q. Would the lives and property of citizens of Texas be safe against the people on the other side?—A. I think that the frontier ranch men would leave the country for about one hundred miles wide along the upper river. No one with a family would stay there who could get away.

Q. You think, then, that the duty of the government to the inhabitants of that region of country requires the maintenance of a considerable force there continually?—A. I do. Before the war and when we had only two regiments of dragoons, as they were then called, and eight regiments of infantry, we kept, I think, about half the cavalry in Texas and on the Texas frontier.

Q. Are things as bad now as they were then?—A. If we had half our cavalry there now, we would have five regiments of cavalry. The number of Indians that raid now from Mexico is probably larger than it was then, and the cavalry then was not so much engaged in protecting the country from Mexican raiders as they were engaged in protecting it from northern Indians. The Mexican Indians are now the outshoots of those northern Indians at that time, who have gone into Mexico just as Sitting Bull has gone into Canada.

Q. Do you think that there are enough of military posts along the Rio Grande, or would you recommend their increase?—A. I am increasing their number now. I directed the establishment of a temporary cantonment about three months since, and the troops have gone down there, and I propose (if I can do so) to establish another one above the highest post on the river, or probably two. There is now a post above Fort Duncan some forty or fifty miles, called Camp Felipe, and I have estab-

lished a small cantonment about sixty miles below Fort Duncan, and I am thinking of establishing another near the mouth of Devil's River, or higher up at the city of Del Norte. That will be enough at present.

By Mr. CLARK:

Q. What have you to say as to the efficiency of the colored troops on the frontier?—A. If they were properly officered and properly handled (not that the officers are any worse than the officers of other regiments, but that colored troops require a great deal more care than white troops) they would be quite efficient. There is no want of care on the part of the officers, but colored troops ought to have about twice as many officers as white troops, and the officers ought to be a great deal more careful and better officers. Colored troops require a good deal more care than white troops for obvious reasons. They have not had the habits of discipline or of civilized life, and they require to be taught them and to have their ideas directed into proper channels. They are generally men who are probably originally from the plantations in the South, and who have no idea of self-government or of the management of things for themselves, and have confused ideas of property. With proper care and proper discipline, they make good troops; but, as I say, they require more care than ordinary white troops.

Q. That force as it is at present constituted, is it or is it not an effective force?—A. Some of the colored companies are very effective and others again are rather indifferent.

By Mr. MARSH:

Q. Would you recommend more than three officers to each company of colored troops?—A. Yes, sir; at least double that number, for the reason that it is very difficult to get good non-commissioned officers among them. The best men among the colored people are not disposed to enlist or to venture upon a frontier life, and we do not get the best men in the Army but a great many of the worst men of towns are driven to enlist by the police authorities in order to get rid of them, so that you can very well understand that such troops require more care than white troops. Generally their non-commissioned officers have to be taught to read and write. You cannot find among men who have been all their lives obeying the necessary qualities which enable men to command, although some of them do develop very good ability. There ought to be at least one captain and four good lieutenants to each company of colored troops.

By Mr. WILLIAMS:

Q. Is it possible to construct a good military road along the Rio Grande?—A. You can construct a good military road from Brownsville up to the mouth of the Devil's River.

Q. What is the distance?—A. The river is very winding. It is 300 miles from the mouth of the river up to Laredo, and from Laredo to Fort Duncan is about 120 miles, and from Fort Duncan to the mouth of the Devil's River is about 120 miles.

By Mr. MAISH:

Q. How long is it since our troops have been permitted to invade the Mexican territory under orders?—A. I gave orders nearly two years ago to cross over on a fresh trail. I stated my reasons for giving the order and communicated these orders to the administration, and I received no instructions in regard to the matter. The order was not disapproved and consequently it was tacitly approved.

Q. Did you ever have additional orders from the government?—A. Yes, sir; orders were issued by the Secretary of War.

Q. How many times have your troops invaded Mexico since you have given them orders to do so?—A. I stated yesterday that I thought they had done so about a dozen times. I expect they have been across the river a dozen times since the orders were issued by the Secretary of War.

Q. How many times have they been across since you issued orders to do so?—A. They were across four or five times before the Secretary's order.

Q. Can you tell us when those invasions of our troops upon Mexican soil have occurred?—A. I can give the recent ones.

Q. Begin at the last one.—A. I received a telegram on the 23d of November, showing that the troops would probably reach a trail and would cross if they did so. I have not heard whether they had crossed or not.

Q. I want to know when our troops did cross the last time, and what they did while they were across, and whether they reclaimed any property, and how much?—A. The last time that I had any positive news of the crossing of our troops, I think the Indians were a little too many for them, and that they had to come back. It was in an unsettled, wild, mountainous district in the big bend of the Colorado. The Indians were pretty strong, and had some 600 head of stock. That was about two or three weeks ago. The Indians were a mixed band of Apaches and Comanches. They crossed into Texas and took the cattle into Mexico. Our troops crossed over—a small detachment of the Seminole scouts under Lieutenant Bullis. He had gone there for the purpose of making an examination of the country and ascertaining whether the Indians had in that section a place of refuge and deposit. He got upon the trail and crossed over. They saw him coming and they drove him back. He had but a handful of men, but he was re-enforced by three companies of cavalry, and they have probably gone back. I have not heard the result.

Q. Give us the next occasion back of that?—A. That was about the 29th of September. The Indians were followed on a trail and their camp was attacked. They were 40 or 50 strong. They had received notice of the coming of the attacking party and had escaped, nearly all them, leaving only a few ponies and women. These were captured and the camp destroyed and the troops returned. That was three or five miles west of Saragossa.

Q. Did the ponies belong to the Indians?—A. They were recognized as having been stolen from the vicinity of Fort Clark a short time before. Our troops, I think, got twelve ponies, which had been left by the Indians in the camp when they quit.

Q. Were the ponies restored to the owners?—A. Yes, sir; when property is recaptured in that way the claimants come in pretty rapidly and the horses are distributed among the owners. The brands are all known and the owners come in and take their property.

Q. Do you remember the next case of crossing?—A. I think that there was no crossing for probably two or three months previous to that. For about two moons there had been comparative quiet, so that the people of a town of Western Texas held a meeting and passed resolutions thanking the troops for their efficiency and stating that the present quiet and safety was due to their activity.

Q. Tell us what occurred on the occasion of the crossing which you allude to.—A. The troops crossed and followed the Indians into the mountains and had a slight engagement with them. The Indians were

afterwards in town complaining that the troops had shot some of their principal men. We recovered I think about sixty horses and brought them back and they were distributed among their owners. That crossing was on a fresh trail. A part of the property was proved by one of the men whom the Indians had wounded and who was at the time lying wounded in the hospital at Fort Clark. On this proof and on the statements made and the names of the Indians being given, extradition papers were prepared and sent with a view of having the culprits extradited.

Q. Proceed and give us an account of the raids.—A. Previous to the last four or five months the raids took place nearly every moon, and when our men could get upon the trail of the raiders they have followed them over on the other side of the river, but only two or three times with success, because when the raiders get to the other side they scatter, or because rains may interfere, or because they crossed in the vicinity of Mexican troops and our troops would wait for the Mexicans to co-operate with them, and thus the trail would be lost and we could not pursue them into the country for want of effective co-operation. Detailed reports have been made of each one of these instances and have been forwarded through the principal headquarters to the authorities at Washington.

Q. Those instances which you have mentioned are the only successful crossings that have been made?—A. Those other instances have been successful also, but they run rather back in point of time. Sometimes the troops would get on the track of the Indians near the mountains, and the Indians would escape into the mountains. It is a very difficult matter to surprise these Indians, and it is only when we surprise them that we can recapture property.

Q. Have our troops crossed more frequently since the establishment of the Diaz government than they did before?—A. About the same, or probably a little less. There has been quiet generally along the border until this late raid on the city of Rio Grande.

Q. Then during the last six months there have been three crossings made by our troops, and the troops have recovered about 72 horses and have killed four or five Indians?—A. Yes; three or four Indians.

Q. Do you think that these crossings on the part of our troops are calculated to intimidate those raiders?—A. Yes. About a year ago one of our parties crossed and had a battle with the Indians, and killed, as was supposed, twelve or fourteen of the Indians.

Q. Did I understand you to say yesterday that Captain McNally crossed the Rio Grande under orders from you?—A. No, sir; he wanted to know whether, if he crossed the river in pursuit of the raiders and got into serious difficulty, he could rely upon the regular troops to support him if he were attacked by the Mexican troops, and I gave him to understand that if my troops were in the vicinity and knew of his being in difficulty they would support him.

Q. Our troops had pursued the raiders on that occasion to the river, and had refused to cross the river in pursuit?—A. Our troops had proceeded to the edge of the river and did not follow across the river.

Q. And McNally did follow across the river?—A. Yes, sir.

Q. And got into an engagement on the other side?—A. No; but the Mexicans got in front of him to prevent his proceeding farther into the interior.

Q. Were there any casualties on that occasion?—A. No, sir; I do not think that a shot was fired. There was a sort of palaver held between the two parties, and prominent officials on the Mexican side agreed that, if McNally's troops would cross the river, they would return as many of

the cattle as they could get hold of. They did succeed in getting hold of some of the cattle, and did return them, and then both our troops and McNally's came back.

Q. What do the local authorities in Texas do to suppress these raids?—

A. They have had some local troops along the Lower Rio Grande, and occasionally some small parties of them strike for the Upper Rio Grande in connection with other operations to suppress outlawry. They sent a small command of eight men to Rio Grande City, with a view to protect the inhabitants, and the jail there, and to guard the prisoners.

Q. What is the size of the Rio Grande River?—A. When you get in the vicinity of Fort Duncan, it is from one-third to one-half wider than the Ohio River at Cincinnati, and when the river is up, it is about as deep as the Ohio River at a full stage.

Q. How far is the river navigable?—A. As far as Mier.

Q. What distance is that from its mouth?—A. By the roads it is about two hundred and twenty miles above Brownsville.

Q. Is the river navigable to that point at all seasons of the year?—

A. No. They go up to Camargo all times, with about two and a half feet of water.

Q. Where is Cortina now?—A. I expect he is in Mexico City.

Q. Did he have any adherents in Texas while he was on the frontier?—A. A good many.

Q. Persons residing in Texas?—A. Yes; relations of his. I think that his mother lives in Texas, and probably two or three uncles of his. They had a ranch in the vicinity of Brownsville.

Q. Do you know whether any residents of Texas profited by these raids?—A. No, sir, not of my own knowledge; because my duties have kept me at my headquarters except when I make occasional tours of inspection, and then I pass rapidly through the country. I have received reports that people on the Lower Rio Grande, on this side of the river, were in the habit of fencing land near the river, so that the fence would lead down to a point on the river where the raiders would cross, and then placing cattle in there and turning them loose when the raided cattle would be driven at a run down to the river. The cattle within the fence, who had been kept without water, would then be started for their homes on the other bank of the river, and thus lead the raided cattle across. I was informed that this arrangement was made by people on this side of the river in order to facilitate the raiders in crossing their cattle. I take it for granted, therefore, that the raiders had friends on this side in collusion with them, who would help them to steal; but these were of the same Mexican population as is along the river on both sides.

Q. What evidence have you that the Mexicans have abettors of this sort in Texas?—A. I have been informed that raiding parties on the lower river would stop at little ranches on this side of the river, and would get supplies and hang around the ranches for some three or four days, some ten or twelve of them, and would then suddenly disappear, and the next thing that would be heard of them they would be gathering up the cattle somewhere in the interior. When any inquiries would be made at these ranches where such parties had stopped, no information could be got about them, and when any of the raiders were caught and brought up for trial, they would always prove an alibi, or something of that sort, so that there was no obtaining any conviction of raiders from the evidence of Mexicans in the neighborhood.

Q. Is it a fact, then, that much of those troubles arise out of the fact



that raiders have sympathizers and friends in Texas?—A. Yes, sir; particularly on the Lower Rio Grande, and when Cortina was in power.

Q. To what extent does that fact exist?—A. It is difficult to say how far it exists; but I think that if parties who would give evidence against the raiders could be sure that the raiders would be followed and punished, and secure of protection by the troops, and could feel themselves not liable to be murdered (as they have been when they have given information at all), the Mexicans on the Texas side, as a rule, would be tolerably good citizens.

Q. The population in the localities where these raids occur is quite sparse, is it not?—A. Not on the Lower Rio Grande. The population on the Upper Rio Grande is sparse where these wild Indians raid for horses, and my remarks as to collusion refer mainly to the lower river.

Q. These raids are generally made, are they not, by parties of four or five?—A. The largest party that I heard of was 45 to 50 strong. The last raids of Indians were made by thirteen in one party, and seventeen or eighteen in the other. They crossed at about the same time.

Q. Would such raids be possible in any of our Western or Northern States in a region not more thickly populated than that?—A. They would be possible if there was the same sort of population.

Q. Why?—A. Just because it is possible for Sitting Bull and his people to raid now upon the northern people by crossing the Canada line.

Q. But Sitting Bull has a much larger force, and would not send raiding parties of five or six?—A. Yes; but Sitting Bull does not bring in his full force in order to make a raid. I commanded the Department of the Platte for three years, and I know of raiding parties of the Sioux Indians that crossed the North Platte and came down sometimes 200 miles south of the Union Pacific Railroad, and their parties scarcely ever exceeded eight, or ten, or fifteen, and they always carried back horses and cattle with them. The bad Indians who committed these depredations on the northern frontier were comparatively few. They came right from the reservation. They were Indians who were supposed to be under the command of Spotted Tail or Red Cloud, and who had drawn supplies all the time. The northern Indians did not commit so much depredation as these reservation Indians did. They kept up in the buffalo country. The depredations were generally committed by the reservation Indians living south and east of the Black Hills. I think that if a better class of citizens were living on the Texas border, the depredations would be just as bad as they are and probably more numerous, because then the horses would be better and the Indians could get better prices for them. In other words, the incentive to make the raids would be greater. The Mexican character of the population makes it very difficult for us to get on the trail of the Indians, though almost all the information we derive in regard to the Indians comes through the Mexicans, because there are scarcely any other sort, and it is Mexicans who suffer most. Out of twenty-five or thirty persons who have been killed by these Indians since I have been in command, four-fifths of them have been Mexicans; and the raiders on the Lower Rio Grande also kill Mexicans when they are apprehensive of their giving information against them, or after they find that they have given information.

By Mr. McCook:

Q. I understood this morning that according to the Official Gazette of Mexico, some 6,000 men have been ordered to the Rio Grande. Have

you any other information of that fact except what you received through that newspaper?—A. Yes, sir; I have some private correspondence with gentlemen living on the other side of the river, and I am informed by them that General Trevino is expected there with quite a large body of troops.

Q. And the fact is indisputable that troops are moving?—A. I think that a considerable number of them have arrived. I also heard that two additional regiments had been started from Vera Cruz for the mouth of the Rio Grande.

Q. At what point along the Rio Grande will these troops naturally be stationed?—A. As I do not know what they are going to do with the troops, I cannot tell where they are going to be stationed.

Q. Can they be stationed above Fort Duncan?—A. No, sir; they cannot be stationed above Fort Duncan, because they would have nothing to eat up there; it is a desert country up there.

Q. Then, taking into consideration the resources of the country, these troops must be stationed between Fort Duncan and the mouth of the Rio Grande?—A. Yes, sir.

Q. The re-enforcements ordered by our government to report to you in the Department of Texas will probably be stationed between these two same points, will they not?—A. I shall occupy more of the upper river than I have done. I shall place, probably, four or five companies in the vicinity of this Indian country that I spoke of as being a place of refuge for the wild Indians and their plunder.

Q. Will the presence of the additional re-enforcements ordered by our government and of those Mexican troops ordered to the Rio Grande, increase the danger of collision in the event of the present orders not being modified in respect to crossing the border?—A. If what the commissioner of the Mexican Government who has been sent here says is correct, the danger will be reduced.

Q. Have you received any modification of your orders lately in regard to crossing the Rio Grande in pursuit of raiding-parties?—A. No, sir; but I have been directed to caution the troops along the river to be very careful not to exceed their orders.

Q. Which are to follow only on a trail, as I understand?—A. Only on a fresh trail and where there are no Mexican troops available.

Q. What knowledge have you, if any, of the number and character of the Texas State troops operating along the Rio Grande?—A. I have stated that there were only a very few. I think that only eight men were sent to meet the difficulties at Rio Grande City and to protect the jail, and the governor informed me that he sent twenty men under Major Jones up to El Paso County where difficulties occurred.

Q. Are those State troops ordered to report to you?—A. No, sir; I am not responsible for anything they do. I do not exercise any control over them.

Q. Then there is no regularly organized Texas force on the Rio Grande for the purpose of protecting the frontier?—A. I think there is a battalion which occupies some positions along the route pursued by these raiding Indians a little north of Fort Clark. These troops frequently get on the trail of the raiders and co-operate with the regular troops, as far as practicable, in following the Indians or they give us information.

Q. But they do not receive orders from officers of the regular troops?—A. No, sir; they act on the orders of their own officers entirely, though they have occasionally acted as guides to the regulars.

Q. About how large is this battalion of State troops?—A. I have understood that it is composed of two companies.

Q. Have you any knowledge of those State troops having crossed the Rio Grande?—A. With the exception of Captain McNally's party, no, sir.

Q. Have you general authority to respond to any call made upon you for troops by the State authorities?—A. No, sir.

By Mr. WHITE:

Q. Would the Texas authorities be able to protect that border against incursions with their own troops?—A. I think that if the governor of the State were to call out some five or six regiments of mounted volunteers and some infantry troops, and were to occupy about the same positions that we occupy now, and they were to act in the very same manner that we are acting, by following the raiders across, they would be able, with the same force that we have, to achieve the same result.

Q. Would it require them to be kept there continually, or would the occasional calling out of the local militia answer the purpose?—A. It would require a permanent force. The United States Government has found it necessary to keep a permanent force there ever since Texas has been organized. The difficulties there are chronic.

Q. The State and the national troops have co-operated when necessary?—A. Yes, sir; whenever practicable and necessary. I would not stand by with regular troops and see American citizens killed by Mexicans or Indians, and if they were in danger I should certainly go to their relief.

Q. There has been no conflict of authority between the State and the national troops?—A. Not since I have been in command of the department.

Q. What force of State troops has co-operated with you at any one time?—A. Captain McNally had a party of 40 or 50 men on the Lower Rio Grande when the Cortina raids were so destructive, and there was another company of State troops in the interior, and there were two companies employed by the State for a year or two, along the northern border, to prevent raids by the reservation Indians from the Indian country into Northern Texas.

Q. They were occupied in the service for a considerable time?—A. Some of them are in service still. They did pretty good service. They followed the Indians, and occasionally overtook them and recovered cattle and stock.

Q. How large a force has Texas in the field now?—A. I only know of the company in the vicinity of Fort Clark, and the troops that Major Jones has in El Paso County, and a small force near Ringgold Barracks. The governor does not inform me where he orders the State troops, unless there is some special reason for it. Recently he has informed me in relation to the difficulties in El Paso County, because he said that he wanted the aid of the regular troops in case the dangers there were aggravated by the crossing of Mexicans.

By Mr. McCook:

Q. Do I understand you to say that the governor of Texas has issued orders to the State troops to cross the Rio Grande after raiding parties?—A. I do not think he has. When McNally crossed I think he did so on his own authority. He may have had orders, but I do not think he had.

By Mr. WHITE:

Q. Has the governor of Texas ever called on you for assistance?—A.

Except in this instance I have just spoken of, where he informed me that he had sent a small detachment to El Paso County, and said that he might call on me for assistance to prevent aggressions from Mexico.

Q. When was that?—A. About two weeks ago.

Q. That is the only instance where the governor has called upon you?—A. No, sir; there was another. Governor Coke called on me for all the forces that I could send down to the Lower Rio Grande to protect that country from the raids which I just spoke of as having occurred so actively under Cortina's *régime*. I forwarded his application to my superior officers and sent him a copy of the answer which I received.

Q. Has the governor of Texas called upon you, brigadier-general of the United States Army, directly, for assistance without first calling on the President of the United States?—A. I do not know whether he at the same time called on the President. My impression is that the governor of Texas reported the recent difficulties to the proper authorities, and the correspondence on the subject is probably on file in the State Department.

Q. My question is, did he call upon you directly?—A. In the case that I refer to of Governor Coke's, I only know that the governor of Texas made application to me for as large a force as I could possibly send to the Lower Rio Grande, on account of very active raids being made, and on account of the great destruction of property by the Cortina gangs, and that I forwarded his application to Washington and sent him the reply which I received. I do not know whether he applied to the President directly or not.

Q. I suppose you can imagine the suddenness of an emergency which would justify him in calling upon you directly?—A. If information were received of the crossing of a large number of raiders, and if I were called upon for protection, I would regard it as my duty to furnish it, if there was no time to refer the matter up, and if prompt action had to be taken.

Q. You would do so under the orders which you now have?—A. I would do on the general principle of furnishing protection to citizens.

Q. I see that the Mexican Commission denies responsibility for these Indian raids. There is a distinct issue of fact between the two cases in that respect?—A. There appears to be. The commissioners make the general statement that all the raids made by the Indians have come from this side, whereas these Indian raiders have been living in Mexico for years.

Q. Then you dissent from the conclusion of the commissioners in this report?—A. Decidedly.

By the CHAIRMAN:

Q. As I understand you, the governor of Texas has not called upon you to put down any domestic insurrection in the State, but only to prevent Indian and Mexican raids?—A. That is all.

Q. From all the information which you have, what, in your opinion, would be the result if a party of your command should pass over into Mexico, and should meet with a party of the Mexican army; would there be a battle?—A. That would depend a good deal upon the commanding officers. If I were in command I think I would have the Mexican officers at dinner that day.

Q. As guests or as prisoners?—A. I would, and I think they would be likely to, prefer being guests.

Q. Judging, then from the crossings which have been made into Mexico, and from the officers under which they have been made, what do you think would be the result if detachments of the Mexican army

should be encountered?—A. I think that under the present instructions there would be no bad results and no collision.

Q. You do not think that the Mexican troops are sent there for the purpose of preventing the passage of the river by our troops in pursuit of raiders?—A. No, sir. There might possibly be a collision. That would depend greatly on the good feeling existing between the officers. A little politeness goes a good way with those people.

Q. I understood you to say that Diaz has been trying to be a good neighbor since he has been at the head of the Mexican Government?—A. My impression is (simply drawn from what I have heard) that he desires to maintain peaceable relations with the United States, but how far his ability to control that bad element along the border is, and to make those people carry out his orders, is the question.

Q. Did our officers seek an opportunity to pass over into Mexico?—A. It is natural if they are there for the purpose of protecting the frontier, and if a raiding party comes along, they would necessarily hunt it up and do the best they could to catch it. They are there for that purpose. I do not say they would make opportunities by any means, but they would carry out their orders as good soldiers should.

Q. You have a Lieutenant Turner in your command?—A. Yes.

Q. Did Lieutenant Turner prefer charges against Colonel Shafter and claim that Colonel Shafter had crossed into Mexico when there was no trail?—A. No, sir. Lieutenant Turner wrote a letter, I believe, and a copy of it was sent to my headquarters. It contained a long string of loose allegations and grievances and several disrespectful and insubordinate assertions.

Q. They were not regular charges that he made?—A. No, sir.

Q. Did he charge against Colonel Shafter that Colonel Shafter had passed over into Mexico not on the trail of a raiding party?—A. I think that among the statements made in his letter there was a statement to the effect that another officer had so crossed, not Colonel Shafter.

Q. I have here the documents sent to Congress with the message of the President, and they contain a letter from Colonel Shafter to yourself in which he says, "I hope soon to get another chance to cross, and I have no doubt it will occur either by Indians or Mexicans." I judged from that that there was a disposition among the officers to pass over into Mexico and to bring on a collision. In that judgment, then, I am not correct?—A. I do not think you are. There is no desire to bring on a collision except between the troops and the raiders. I do not regard the Mexican nation or general government as either encouraging or fomenting these raids. The raids in the Upper Rio Grande are by wild savage Indians over whom the Mexican Government has little or no control and some of whom for a long time raided upon Mexico from the United States. I presume that the object of Colonel Shafter in this paragraph of his letter was to show that the troops were ready and available, and that he hoped to give them some useful, active service soon.

Q. Not that he hoped for the opportunity to cross?—A. He would not object, I suppose, to giving his men active service, even if they had to cross, for the rule among soldiers is, if they can give their troops a chance of showing their usefulness, to do so.

Q. You do not regard sending troops into a neighboring country after raiders as an act of war?—A. No, sir. We have not regarded their sending raiders into our country as an act of war, and these raiders have been sometimes officers and soldiers of the Mexican army who have been engaged in killing our citizens and stealing their cattle. I do not



regard the crossing of our troops into Mexico as an act of war, especially as the region of country into which they cross is one over which the Mexican authorities have no control.

Q. Then the Mexicans have sent their troops over into the United States?—A. Several times.

Q. Did these troops come after raiders or did they come as raiders?—A. They have come in both ways. Sometimes they came simply because they were not under good control and their officers were vagabonds who were ready to join any raiding or revolutionary party, and to help themselves to whatever they could get. But at present there appears to be better order there. At other times they came in pursuit of raiders.

Q. Is there any instance on record where the Mexican troops proper passed over into the United States?—A. There were some instances reported. You will find them in the report of the committee of last Congress, of which Mr. Schleicher was chairman, cases where Mexican officers did lead raiding parties into Texas. I do not know of any recent instance. In my last report an instance is given by that Wisconsin officer to whom I referred, which occurred shortly after the late civil war in the South, where a raid was made and where the raiders were composed of Mexican troops and were under the orders of a Mexican officer.

Q. But that was not done with the approval of the authorities of the Mexican government?—A. Hardly anything of that sort is done with the approval of the authorities. It is very difficult at such times to find out who are the authorities.

By Mr. McCook:

Q. Have the Mexican troops stationed along the border the same relative authority which our troops have of following raiding parties upon our soil?—A. Yes, sir. Governor Triaz organized a party and, through their commander, notified us that he desired to follow raiders into our country, and I did not object. I had given instructions to our commanding officers that if Mexican troops followed raiders they should make no objection. This was in Chihuahua, a comparatively unprotected country, into which Indians from our side had raided.

Q. Does that agreement exist on the other side that we shall follow raiders into that country?—A. Yes, in Chihuahua. In Coahuila and Nuevo Leon the same good feeling does not exist now that formerly did exist, but in Coahuila, until the accession of Governor Charles, the local authorities co-operated with us in pursuing Indians.

Q. Do you mean the national authorities?—A. The local authorities controlled there, as they do generally. These people have been in a state of chronic revolution, and it was hard to tell who the national authorities were.

Q. Does Diaz protest against our following raiders on the Mexican soil?—A. Yes; he has at one time given orders directing his troops to repel such invasion by force.

By the CHAIRMAN:

Q. Do you understand this order of Diaz to the troops now coming to the frontier, to prevent the crossing of our troops, to refer to any troops but the Texas volunteers?—A. I think the officer commanding on their frontier will have considerable discretion left him; perhaps the orders are intended more for effect in the interior of the State; perhaps they have more than one meaning. I do not mean to say that General Diaz is disposed to double-dealing. My impression is that he is a more direct,

straightforward man in his policy than they happen to have had in Mexico for a number of years.

By Mr. McCook :

Q. And still, with that condition of affairs, you think that the danger of collision is averted ?—A. No, sir ; I stated that that depends entirely upon the disposition of the commanding officers who should happen to meet each other, and upon the good-will which may have been cultivated.

By the CHAIRMAN :

Q. If the object of the troops sent to the frontier by General Diaz is to co-operate with you, and to keep the peace on that border, and to prevent raids either way, it is your opinion that everything will be very quiet there ?—A. Yes, sir ; I think it would promote good will and quiet ; but the authority of General Diaz upon the frontier is very indefinite, and the amount of control which his troops may exercise, or how far they may remain faithful after they get there, are matters of such uncertainty that it behooves us to be always on guard and ready for any emergency.

By Mr. MAISH :

Q. Were the charges contained in Lieutenant Turner's letter investigated ?—A. Not yet. I do not know that he has put them in the form of charges. As the letter stands now, it is a document which reflects anything but credit on the writer.

Q. If the charges were made even in that form, would you not inquire into them ?—A. A court-martial will be probably ordered on the officer himself who makes the allegations, and he will have an opportunity of going into the matter as far as may be deemed requisite.

Q. Did I understand you to say that if the country subject to those raids was inhabited by good citizens the raids would be just as frequent as they are now ?—A. If the ranches now occupied by the present owners were to change hands, and if American citizens from the North were to take the places of the present occupants, there would be no discontinuance of the raids. I think that they would probably be increased, because the temptation to plunder would be probably greater. The character of the property to be plundered would be improved, and the owners would not be as familiar with the means of resisting these raids and with the peculiarities of the country as the present rancheros are. They would offer more tempting baits to the raiders. German and English gentlemen and Americans from the North are now owners and occupants of lands on the border, and many of them (prominent citizens) have been compelled to reside in towns because they are afraid to live on the ranches. They do not want to run the risk of exposure. I think that the number of raids would be probably as great or greater than they are now if these ranches were to change owners, and if other people were to go there, similar in their habits to northern people, the raids would be more frequent for a short time ; but I believe that such people would eventually organize, take the matter into their own hands, follow the raiders into Mexico, and punish them. Our people are not in the habit of putting up with such things as the Mexican people on the border are, who look upon these things as what they must submit to.

By the CHAIRMAN :

Q. It has been said here that a good many of the inhabitants along that border have been compelled to give up their farms and plantations in consequence of these raids, and that the country in the region of San Antonio has been to a great extent depopulated ; is that a fact ?—A. I

know of my own knowledge of parties who have gone out near the river to settle, and have come back. General Kane, a brother of Dr. Kane, the explorer, went down into Mexico for the purpose of making some inquiries in regard to railroads, and on his way he wrote to me saying that he had met several families from his own neighborhood in Pennsylvania who had been living on ranches, but who were then fleeing for their lives, and that it was a distressing sight to see these people. I quite recently met an Englishman in San Antonio who would not live on his place, a large sheep ranch near Fort Clark, owned by himself and his brother. They would not live there on account of the danger. I recommend the publication of the enclosed map of Northern Mexico in connection with my testimony.

E. O. C. ORD,  
*Brigadier General, United States Army.*

*Statement of Lieut. Col. John S. Mason, Fourth Infantry.*

COMMITTEE ON MILITARY AFFAIRS,  
 Washington, D. C., December 7, 1877.

Lieut. Col. JOHN S. MASON appeared before the committee and testified as follows:

Mr. McCook. Where are you stationed?

Lieutenant-Colonel MASON. At the headquarters, Department of Texas, San Antonio.

Mr. McCook. What is your rank?

Lieutenant-Colonel MASON. Lieutenant-colonel of the Fourth Infantry.

Mr. McCook. You have been in the Army a good many years?

Lieutenant-Colonel MASON. Over thirty years.

Mr. McCook. How long have you been in the Department of Texas?

Lieutenant-Colonel MASON. A little over two years.

Mr. McCook. You are stationed at headquarters and therefore conversant with all the reports that are received?

Lieutenant-Colonel MASON. Yes, to a certain extent.

Mr. McCook. We are sitting here for the purpose of investigating the conduct of military affairs on the Rio Grande, and I do not know that I have any particular questions to ask you; I suppose that the evidence that was given yesterday by General Ord you know pretty much all about, as you are in the Adjutant-General's department?

Lieutenant-Colonel MASON. No; I am acting inspector-general, although I have constant intercourse with the Adjutant General's department, and see everything that comes in.

Mr. McCook. Then you have personal knowledge of the condition of affairs on the frontier?

Lieutenant-Colonel MASON. Simply from the reports. I have not been there in person for some time. I inspected that frontier about two years ago next February.

Mr. McCook. How many troops are stationed in your department, approximately?

Lieutenant-Colonel MASON. There are now between twenty-seven and twenty-eight hundred.

Mr. McCook. Of those, how many are along the line of the Rio Grande?

Lieutenant-Colonel MASON. The exact number I cannot tell. Nearly

all the other posts are pretty much depleted. Richardson and Griffin each have one company; Concho and McKavitt have each two, and Stockton three, and Davis four; one company at San Antonio, and the balance are on the Rio Grande, amounting to about 2,000.

Mr. McCook. Of the troops on the Rio Grande how many are colored?

Lieutenant-Colonel MASON. About two regiments.

Mr. McCook. Infantry or cavalry?

Lieutenant-Colonel MASON. The whole of the Twenty-fourth Infantry, eight companies of the Tenth Cavalry, and three companies of the Twenty-fifth Infantry are on the Rio Grande. Those are colored. The Eighth Cavalry is there in force; a part of the Tenth Infantry (6 companies) which are white.

Mr. McCook. I suppose you are pretty well qualified as inspector-general to express an opinion in regard to the efficiency of those colored troops on the frontier, as compared with white troops?

Lieutenant-Colonel MASON. My judgment is, that on the Texas frontier the colored troops are comparatively of little use. I won't pretend to say that colored troops are not fit for anything anywhere, but they are certainly of little or no use on the Texas frontier.

Mr. McCook. Why?

Lieutenant-Colonel MASON. From the simple fact that the class of Mexicans along that frontier are generally of the lowest order, part Indians, and they fraternize with the negro more readily than with the white people; and the consequence is that there is great demoralization among the black troops, and it has extended to the officers to a certain extent.

Mr. McCook. Both officers and men?

Lieutenant-Colonel MASON. Yes; there are, of course, honorable exceptions among the officers.

Mr. McCook. You speak of both officers and men being demoralized; in what manner does this contact with the Mexican population demoralize them?

Lieutenant-Colonel MASON. Of course among those lower classes there are a great many lewd women, and there are dance-houses and gambling-houses which are frequented by the men. There are some of the officers who, I am sorry to say, are a good deal below par.

Mr. McCook. Does this demoralization extend to the men, so far as you have knowledge, in the time of action?

Lieutenant-Colonel MASON. No, sir; I think not. It simply affects the discipline of the commands garrisoning the frontier. I have no knowledge of want of courage on the part of the black troops in action.

Mr. McCook. You think there is no distinction between them and the whites in that respect?

Lieutenant-Colonel MASON. Not any very great distinction.

Mr. McCook. What is your remedy for this demoralized condition of affairs?

Lieutenant-Colonel MASON. The only suggestion I would make would be to remove them to some other section of the country, where they would not be subjected to such influences. I think it is owing, to a great extent, to the local surroundings, or to do away with the distinction of color in these regiments.

Mr. McCook. You think that that demoralization extends to all the black troops along that frontier?

Lieutenant-Colonel MASON. Yes, all that I have seen.

Mr. McCook. I suppose to some extent that class of society affects also the white troops?

Lieutenant-Colonel MASON. Yes, but not to so great an extent.

Mr. McCOOK. In the black regiments all the non-commissioned officers are colored?

Lieutenant-Colonel MASON. Yes; the only white men are the commissioned officers.

Mr. CLARK. What are your opportunities for observation as compared with other officers in command where these black troops are stationed?

Lieutenant-Colonel MASON. So far as my judgment is concerned, it is derived from conversations with others and from the frequent reports that come to headquarters in reference to these officers and from inspection made on the Rio Grande, and also from the fact that there are a much larger proportion of courts-martial upon the blacks than upon the whites.

Mr. STRAIT. How often do you make an inspection of the troops?

Lieutenant-Colonel MASON. We try to make an inspection once a year, but during last year I have not been out. I have had a great deal of family affliction, and I have not been sent out.

Mr. STRAIT. How often do you receive reports from these commands?

Lieutenant-Colonel MASON. Reports of the strength of the posts are received at headquarters every month, and bi-monthly we receive full reports as to the condition of the posts in every particular.

Mr. STRAIT. How often do you consolidate reports for transmission to the General of the Army; your reports as inspector-general?

Lieutenant-Colonel MASON. I make no reports except upon special inspection ordered by the commander of the department.

Mr. STRAIT. Do you not compile these reports that come to your office and forward your reports at certain stated periods?

Lieutenant-Colonel MASON. No, sir; we make an annual report to headquarters of the operations of that year, but special reports are made of particular inspections, which are on file in the department headquarters; and bi-monthly reports, which pass through and are supervised in my office, are kept on file.

Mr. STRAIT. Have you ever made any special reports in respect to these officers that you speak of in the colored regiments?

Lieutenant-Colonel MASON. O, no, sir; for the simple reason that my opinion is based principally upon what comes in through the adjutant-general's office to the commanding general. We have three or four on trial now, and for the last year there has been pretty much all the time some officer on trial before the courts there.

Mr. STRAIT. What do those trials generally result in; conviction?

Lieutenant-Colonel MASON. Yes, mostly. I think there are three now before the courts; I presume their trials are finished by this time.

Mr. STRAIT. You have not made any personal inspection for two years?

Lieutenant-Colonel MASON. It is nearly two years. The last year's inspection I did not make. I was about starting on one when I was summoned here.

Mr. STRAIT. Have these colored troops been used with the white troops in suppressing raids?

Lieutenant-Colonel MASON. Yes, constantly.

Mr. STRAIT. You have never heard any fault found with the colored troops?

Lieutenant-Colonel MASON. No, sir; I only know of one instance in which I have heard of them at all; they were out with Captain Carpenter—I forget where it was—but I have heard him speak very highly of the way they fought and sustained him in that engagement.



Mr. MARSH. For the better protection of the Mexican frontier, between Fort Duncan and the mouth of the Rio Grande, would you recommend any additional posts?

Lieutenant-Colonel MASON. No, sir; I would not. I am opposed to multiplying posts, because it fritters away our small force in garrison duty and the necessary details for the police and protection of the posts. I think it is a great deal better to have three or four large posts, make them comfortable and then detail from them. It is only about forty-five miles from Duncan to McIntosh below.

Mr. MARSH. Is Fort McIntosh occupied?

Lieutenant-Colonel MASON. Yes, sir; by one small company of infantry.

Mr. MARSH. Do you say it is only forty-five miles? It appears to be over 100 miles on this map.

Lieutenant-Colonel MASON. [Referring to a map.] Yes, it is over 100 miles. I meant another post.

Mr. MARSH. Would you or not establish another fort between Forts Duncan and Laredo?

Lieutenant-Colonel MASON. I do not think I would. There is a difference of opinion among officers in respect to that. Some advocate the establishment of a post at the old Presidio. My own judgment is that by having Forts Clark and Duncan strong enough, it is better to send out detachments from these posts and make cantonments; the troops are more mobile and we can use the whole of the force.

Mr. MARSH. If the force were increased on that frontier to about 5,000, do you think it better to establish any new posts?

Lieutenant-Colonel MASON. The only post I would make is one south-east of Fort Davis, at Presidio Del Norte, and I would picket the rest of the country by detachments.

The CHAIRMAN. You say you have been prevented from making inspections by sickness in your family during the last year?

Lieutenant-Colonel MASON. Yes.

The CHAIRMAN. Do you know anything of the frontier raids from Mexico into Texas during the last year?

Lieutenant-Colonel MASON. Only from official reports received.

The CHAIRMAN. Would you be able to give us any opinion that you yourself would consider valuable as to their frequency compared with prior years.

Lieutenant-Colonel MASON. The raids, I think, of Mexicans on the Lower Rio Grande, from Duncan down, have been much fewer during the past year than any prior year. I do not think there is much difference, but possibly a little more activity on the part of the Indians from Fort Clark up to El Paso.

There is a thorn not only in our side but in the side of the Mexicans, which I have often thought could be remedied easily. There is a small Indian reservation of Apaches in Southeastern New Mexico, and a post, Fort Stanton, kept up for guarding four or five hundred Indians, with probably 200 warriors. It is a very small band of Indians and a very large reservation, about seventy miles long. Those fellows cross the Staked Plains and raid down past General Clitz's post. They also raid down to Fort Davis, and, if pursued, they go over among their friends in Mexico, and if there is anything there that they can steal, they go back to their reservation. It is only since 1871 or 1872 that I have heard of the Mexicans following them. They followed a band of them a few weeks ago and struck them up in the Guadalupe mountains, and found that they were our reservation Indians from this Stanton reservation. I remember several years ago of their doing the same thing, and in 1872

or 1873, when the Indians were pursued by our troops, they crossed below Fort Quitman and went back into the mountains of Mexico. The band is very small, but it necessitates not only keeping up that post, but a good deal of activity among the troops of other posts; whereas by removing them to the reservation of the Apaches proper, west of the Rio Grande, where there is a large reservation, it would do away with all this trouble—the mere removal of three or four hundred individuals.

Mr. MAISH. That could be done. They would be agreeable to it, would they?

Lieutenant-Colonel MASON. I think so. They are all Mescaleros. They have a good comfortable reservation now, a very large one, and of course they do not care much about leaving it; but they could be better controlled.

The CHAIRMAN. Then it is customary for both parties to follow these raiding parties?

Lieutenant-Colonel MASON. I have known two cases of the Mexicans coming over. With reference to our following into Mexico, it has not generally been done until the President's late order. Since then, we go whenever we find a trail.

The CHAIRMAN. Are these parties that come over from Mexico composed of citizens or are they officials, or both—these that follow raiding parties into our country?

Lieutenant-Colonel MASON. On one occasion they were the State troops of Chihuahua; but I think the last party was private citizens.

The CHAIRMAN. What would you recommend as the best cure for this trouble?

Lieutenant-Colonel MASON. I think the best cure is the one now being adopted, to have sufficient force along the Rio Grande to let the people on the other side know that we are really in earnest, and to pursue whenever we strike a fresh trail. The reason why we can follow them on a trail on the other side better than on our own is this: A party coming over, of Mexicans or Indians, divides into three or four bands; they have a certain rendezvous, and they gather up their cattle, and by the time they reach the rendezvous at the river they have made a good, plain, solid trail, on which we can cross over and follow them; and I think that prompt punishment is the best cure. I do not think it is necessary to have any difficulty with the Mexican Government, nor do I believe there will be; but I think that our safety in not having it is to show a bold front with a sufficient force.

The CHAIRMAN. What increase of troops would you recommend?

Lieutenant-Colonel MASON. For the present, I think that, as General Clitz says, if we had the companies that we now have filled up we would have enough.

The CHAIRMAN. Then you fix the number of troops required to take care of that frontier at between four and five thousand men?

Lieutenant-Colonel MASON. Yes. Some of the companies in the colored regiments are only between ten and twelve strong; they are of little use.

The CHAIRMAN. You have said that you would advise the taking away of these negro troops and replacing them with white troops?

Lieutenant-Colonel MASON. I certainly should.

The CHAIRMAN. Then, as compared with white troops, you think those negro troops are inefficient?

Lieutenant-Colonel MASON. They are not so efficient.

The CHAIRMAN. What is your opinion in regard to increasing the number of posts?

Lieutenant-Colonel MASON. As I stated before, I would rather decrease than increase posts. I think that possibly it will be necessary to establish a post, as I said, at the Presidio; and the post of San Felipe, which is merely a cantonment, ought to be made into a post; and McIntosh, which is opposite Laredo, and quite important, and growing more important, should be made a larger post. We have owned the ground there for many years, and there is only a hospital and the store-house there. There is no accommodation for even one company. It ought to be made large enough for three or four companies. We had there for a long time one small company of colored men—I think there were about fifteen men—to take care of the post. Of course, they were of no earthly use except to take care of themselves and the post. My objection to the increase of posts is that wherever you establish a post you have to have all the paraphernalia—the quartermaster's department, a commissary, and details of men for all kinds of work, teamsters, &c. It takes away a large portion of your efficient force; whereas we gain the object more readily by having large posts and sending out details, letting them camp and move from point to point as occasion requires, and in the mean time the troops that are in the posts can be kept efficient by drill, there being enough of them to do it. As it is, after you break them up into little squads and details, you cannot get the men out to drill. I think we require fewer posts and larger companies. The posts are about 100 miles apart; you can send out a detachment with thirty days' provisions, and they are ready to move to any point; they have got their one month's rations with them, and at the end of that time they can be recalled and replaced by others.

The CHAIRMAN. Do you know anything of the number or the use that has been made of the Texas militia in protecting this frontier?

Lieutenant-Colonel MASON. Nothing, except from rumor. There has been a company under McNally (McNally is since dead, but the company is still in the field), which has been engaged a part of the time pursuing these raiders, but most of the time in arresting criminals in Texas. All that western country is full of outlaws, and those men are engaged most of the time in making such arrests. When a raid of Indians is heard of, we notify them as soon as we can, and they take up the pursuit; but they are occupied principally to guard the good people against the outlaws in Western Texas.

The CHAIRMAN. To protect them against domestic violence rather than raids?

Lieutenant-Colonel MASON. Yes; that is their object, and they have their hands full at that. A few years ago Western Texas was very full of cattle, and required large numbers of "cow-boys"; and as the number of cattle has decreased very largely, and, in addition to that, the older rancheros are fencing and keeping their cattle on their own lands, it has thrown large numbers of these "cow-boys" out of employment. They went work, and they go to marauding. Those are our own people; and the Texas Rangers were raised, as I understood, for protection against this class of people, although they have been used occasionally for pursuing raiding parties.

The CHAIRMAN. Have you any knowledge of plantations and farms being abandoned in that section of country between the rivers, because the owners had no protection, and were afraid to remain on them?

Lieutenant-Colonel MASON. I have no knowledge on the subject.

Mr. BRAGG. Does this demoralization among the officers extend to citizen appointments and graduates of the Military Academy alike?

Lieutenant-Colonel MASON. I think not. In the colored regiments

there are not many graduates of the Academy, but I think, as a general rule, there is more demoralization among the citizen appointments, their number being greater, although there are black sheep in both flocks.

Mr. BRAGG. What grade of officers?

Lieutenant-Colonel MASON. Generally the lower grades; first and second lieutenants principally and some of the captains.

Mr. McCook. Have you any personal or official knowledge of these State troops?

Lieutenant-Colonel MASON. No, sir.

Mr. McCook. You do not know from whom they receive their arms or rations or supplies?

Lieutenant-Colonel MASON. By an appropriation from the State. They are raised by the governor's orders, and the adjutant-general has them raised and equipped, and they are paid by the State. In some cases, I remember seeing in the papers that down about Goliad county the people raised some money to keep up the troops, as the State appropriation had given out.

Mr. McCook. But they receive no supplies from the general government?

Lieutenant-Colonel MASON. No, sir; nothing at all.

Mr. McCook. And you know of but one company, and that is the McNally company?

Lieutenant-Colonel MASON. There is a band commanded by a man named Jones southwest of San Antonio, but the only one I know of down on the immediate frontier is McNally's.

Mr. McCook. You are aware that the Fourth Cavalry have been ordered to your department from Fort Sill?

Lieutenant-Colonel MASON. Yes.

Mr. McCook. Have you any knowledge of what troops are left at Fort Sill?

Lieutenant-Colonel MASON. I have not.

Mr. McCook. Have you any knowledge of the effect that will be produced by the withdrawal of that very effective regiment?

Lieutenant-Colonel MASON. I think it will have to be replaced by other troops.

Mr. McCook. Fort Sill, as I understand, by its situation and the troops there, plays an important part in preventing the raids on the northern frontier?

Lieutenant-Colonel MASON. Yes, a very important part in preventing raids on the whole of the northern frontier, and they must be replaced by other troops.

Mr. McCook. It is said that there are four thousand Mexican regulars ordered to that frontier; if the object of that order is to exchange those troops for the troops that are on the frontier now, and use them in preventing raids, will not that force, with our force, be able to maintain quiet on the frontier?

Lieutenant-Colonel MASON. Yes; if that is their object and they carry it out in good faith, unquestionably with that force and the force we have on our side we ought to be able to prevent any real raid.

Mr. CLARK. Relative to the character and cost of the equipments given to the colored troops, what have you to say in regard to that compared with the cost of the white troops?

Lieutenant-Colonel MASON. With reference to infantry, I do not think there is much difference. The infantry take very good care of their equipments generally, quite as good as the white infantry. In the cavalry, I think they are not quite so careful of some of the smaller

equipments—their canteens and lariats and the minor parts of the equipment. There is not a great deal of difference, however, between the two.

Mr. McCook. How is it as to the expense of keeping them furnished with horses, so far as you can say?

Lieutenant-Colonel MASON. I really am not able to answer that definitely.

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*Statement of Col. H. B. Clitz.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., December 7, 1877.

Col. H. B. CLITZ appeared before the committee and testified as follows:

Mr. MARSH. What is your rank?

Colonel CLITZ. Colonel of the Tenth Infantry, now in Texas.

Mr. MARSH. Where are you now stationed?

Colonel CLITZ. At Fort McKavitt, about 150 miles northwest from San Antonio.

Mr. MARSH. How long have you been in that department?

Colonel CLITZ. I was there in 1845, in 1860, and again from 1869 to 1871; and since 1873 I have been at Fort McKavitt. I commanded the line of the Lower Rio Grande at one time.

Mr. MARSH. How far is Fort McKavitt from Fort Clark?

Colonel CLITZ. About 150 miles by the road; by an air line it is about 130. Fort Clark from McKavitt is nearly due south.

Mr. MARSH. What has been the character of the raids made into that country from Mexico during that time?

Colonel CLITZ. There have been quite a number made since I have been stationed there. I suppose that almost every alternate moon, at certain seasons, there has been some sort of a raid in there from either the Lipans or Mescalero Apaches, accompanied by some Mexicans.

Mr. MARSH. Where have those raids been made?

Colonel CLITZ. They generally cross the Rio Grande above the mouth of the Pecos, cross Devil's River and enter into the settlements between the forks of the Llano and go toward Kerr County, or toward Fredericksburg and Mason. I speak now of what has been done in my own district.

Mr. MARSH. How large are those bands generally?

Colonel CLITZ. They come, sometimes, in parties of fifteen, twenty, or thirty men, and break up into smaller parties; their object being to steal stock. They generally appoint a rendezvous somewhere west of the Llano, between Devil's River and the Rio Grande.

Mr. MARSH. Have they committed any depredations beside the stealing of stock? Have they committed any murders?

Colonel CLITZ. Yes; I have heard of three or four well-authenticated murders, and I have heard reports of others.

Mr. MARSH. Have there been any collisions between the troops and those raiders?

Colonel CLITZ. Not for quite a length of time. Since 1874 there have been none by parties from my post; we have followed in pursuit, but the raiders have generally gotten away.

Mr. MARSH. What have the troops in your command been engaged in; repelling these raids?



Colonel CLITZ. In repelling those raids and in repelling raids by Indians who came down from New Mexico; and raids by the reservation Indians who came down from the Indian Territory previous to 1874. They have also acted as a posse to help the civil authorities.

Mr. MARSH. For what purposes?

Colonel CLITZ. In regard to violations of the United States law, on the demand of the marshal, and sometimes to assist the civil officers of the counties, on the request of the sheriff.

Mr. MARSH. Was that for the purpose of catching those raiders?

Colonel CLITZ. Sometimes to go in pursuit of horse-thieves, and sometimes to protect the officers in the execution of their duty against bad men of any kind.

Mr. MARSH. Are you personally acquainted with the operations upon the Rio Grande below Fort Duncan since 1873?

Colonel CLITZ. No, sir; I have had no duties to do on the Rio Grande since 1873.

The CHAIRMAN. Were these duties to which you have referred all prior to 1873?

Colonel CLITZ. No, sir.

The CHAIRMAN. Are there any cavalry companies stationed at your post?

Colonel CLITZ. I had one company, but it was drawn from me to the Rio Grande, so that at present I have none. I have only two small companies of infantry at my headquarters at present.

The CHAIRMAN. Have your troops been engaged in escorting mails?

Colonel CLITZ. Yes, sir; my cavalry and my infantry both have been engaged in escorting mail-stages. The stage was robbed on one occasion when it was supposed the paymaster was on board, and after that I protected them almost every time the paymaster was in it.

The CHAIRMAN. When you assisted the sheriff in pursuing cattle-thieves, what thieves were they and where were they from?

Colonel CLITZ. They were hardly cattle-thieves; more likely horse-thieves. They were from the two or three counties in the vicinity of my post, and some from adjacent counties in Texas.

The CHAIRMAN. Your troops have been engaged, then, more in repelling the Indian raids from the north, and protecting the settlements against thieves in the State of Texas, than against the incursions of Mexico?

Colonel CLITZ. Yes; because those other Indians pass nearer to Fort Clark than they do to me. I have generally sent out scouting parties in pursuit when I have heard of those raiders, and then reported to the commanding officer at Fort Clark, so that he might intercept them, as he was much nearer their line than I was.

The CHAIRMAN. Where do those horse-thieves in Texas take the horses?

Colonel CLITZ. They take them to where they have the best chance of selling them, and that is the way in which they are made known and caught.

The CHAIRMAN. Have you any suggestions to make in regard to any additional precautions to be taken to guard that frontier?

Colonel CLITZ. I understand that there has been an additional regiment of cavalry and one of infantry ordered down to re-enforce troops already there. I think that if the companies were filled up to a good maximum there would be troops enough to guard the frontier. It is a very difficult country, particularly on the Lower Rio Grande. This chaparral country is almost impenetrable unless you have guides (who

are generally of those very people) who know all the little clearings and trails.

The CHAIRMAN. Are those horse-thieves in Texas an organized band, in your opinion?

Colonel CLITZ. I do not think they are organized. They are generally bad men who have committed crimes of some sort.

The CHAIRMAN. Are they organized?

Colonel CLITZ. I think only in bands of two or three, and only temporarily.

The CHAIRMAN. Do they act in concert with those Indians across the Rio Grande?

Colonel CLITZ. No; I do not think they have anything to do with them.

The CHAIRMAN. Where do they dispose of their stolen stock?

Colonel CLITZ. Wherever they can sell them in the State. I do not think they run them over into Mexico at all—those Texas horse-thieves. They sell them wherever they can, for a low price, and I suppose they are found out in that way to be horse-thieves.

The CHAIRMAN. Then your own troops have been used sometimes to assist the sheriff in the execution of civil processes?

Colonel CLITZ. Yes; in that respect

The CHAIRMAN. How many men have you in your regiment?

Colonel CLITZ. I have been absent from my regiment now about four months. When I left it the maximum of a company was 37; we were a little stronger than that, because at that time the Twenty-fourth and Twenty-fifth Infantry were below their maximum, and the authorities allowed me to keep all over 37 that I had, but since that the strength has fallen below. I have less than 370 men.

The CHAIRMAN. Have those raids been less or more frequent within the last year than formerly?

Colonel CLITZ. From old Mexico they are about the same in number and extent. Since Generals McKenzie's and Miles's operations on the Staked Plains in 1874 and 1875, we have had very few of those Indians down in the country, so that raids from there are much less frequent, but from old Mexico they are about the same; perhaps somewhat more frequent than during the past year.

The CHAIRMAN. Have the raids from old Mexico into Texas been less frequent since Diaz has been President than formerly?

Colonel CLITZ. I am unable to answer that.

The CHAIRMAN. How do you think the present Government of Mexico is disposed to treat the crossing of troops from our side into Mexico? If our troops were to meet with the Mexican troops, do you believe that there would be a collision and a battle?

Colonel CLITZ. I rather think it would depend upon the circumstances and the difference of numbers. If they were very much our superior, they might attack; but if we were on equal terms, I do not think they would.

The CHAIRMAN. Do you think our following the Mexican raiders over into Mexico is displeasing to the Mexicans?

Colonel CLITZ. Yes; to the people. I do not know how the Government of Mexico looks upon it.

The CHAIRMAN. I mean to the Mexican Government authorities?

Colonel CLITZ. I have no knowledge on that subject.

The CHAIRMAN. Do you think that the best way to prevent these raids?

Colonel CLITZ. Yes; unquestionably. The Rio Grande is a very nar-

row, fordable stream above Ringgold Barracks, and those people can swim cattle and horses over at almost any point, and escape pursuit, in that way getting into the chaparral on the other side, where they are protected by their own people. It is almost impossible to get news of them in time to catch them on our side of the Rio Grande. They ride lighter than we do, and they have relays, and we have to follow with cavalry carrying weight, and have no relays; but I think if we can follow them into their fastnesses and punish them there, it will tend to put a stop to the raiding.

The CHAIRMAN. Are those raiding parties that come from Mexico into the United States composed mostly of Indians?

Colonel CLITZ. Mostly. From what I have heard of those raiding parties I should say that they are principally Indians, perhaps in the proportion of one Mexican to ten Indians.

The CHAIRMAN. Are they composed of Indians that belong to both Mexico and the United States, Indians having their homes in both countries?

Colonel CLITZ. The Lipans have people living in our country as well as in Mexico, and so have the Mescalero Apaches.

The CHAIRMAN. Do you think the force there should be composed of cavalry or infantry?

Colonel CLITZ. For pursuit of those bands that raid on our side of the Rio Grande we need cavalry mostly; but if we should cross when there was any feeling of hostility on the other side, I should think that good infantry supports would be necessary to the parties of cavalry that cross.

The CHAIRMAN. That is, cavalry supported to protect us from the Mexican army?

Colonel CLITZ. Yes.

The CHAIRMAN. Do you know of your own knowledge anything of the strengthening of the Mexican army on the frontier?

Colonel CLITZ. Nothing but what I have seen in the newspapers.

The CHAIRMAN. To properly protect this Texas frontier of ours, you think it necessary to make the increase which is now made by the force sent to the frontier, and by the filling up of the regiments, as you suggest?

Colonel CLITZ. Yes. When I speak of filling up the companies I do not mean to the full maximum, but we are so very short-handed now that we can scarcely get twenty men to a company to put into the field. If we fill the infantry companies up to 60 or 70 men, and the cavalry to 90 or 100, I think it would be sufficient. Then it would be used more to keep down that feeling on the part of the Mexicans than to actually defend Texas.

The CHAIRMAN. That would make the force about four or five thousand men?

Colonel CLITZ. Yes; between four and five thousand.

The CHAIRMAN. Is it not your experience that small companies of 15 and 20 men are very inefficient, and is not one company filled up more efficient than several small companies?

Colonel CLITZ. No, I should not say they were more efficient, if you do not take into calculation the expense at all; of course, a company of 100 men with three officers is an efficient organization, and it is cheaper than it would be to have three or four small companies with the same number of officers to each company; but as to efficiency, I think the greater the number of officers the greater the efficiency of the command.

I think an officer who has control of his men will make them fight better with one officer to 10 men than with one officer to 50.

The CHAIRMAN. Then you think that a company of 20 men with three officers, with the requisite number of sergeants and corporals, would be more efficient than a company of 75 men with the proper number of officers and non-commissioned officers?

Colonel CLITZ. I do not know that I understand your question.

The CHAIRMAN. Would not your regiments and companies be much more efficient if the companies and regiments were filled up?

Colonel CLITZ. Yes, of course; we would have more men, the companies would be stronger, and we would have some incentive to drill, &c.

The CHAIRMAN. Did any part of your own command ever make a raid into Mexico?

Colonel CLITZ. Strictly speaking, no part of my command, because when portions of my regiment have been over they were not under my command; they did not belong to my post at the time. I know that some of my regiment have been across more than once.

The CHAIRMAN. Then you do not know anything personally about what any of the raiding parties did?

Colonel CLITZ. No, sir; nothing at all.

The CHAIRMAN. Have you had some opportunity of observing the negro troops as to their usefulness and efficiency?

Colonel CLITZ. Yes; I have had white and black troops at my post at the same time.

The CHAIRMAN. How do they compare for efficiency?

Colonel CLITZ. Well, if you take into consideration the expense of a regiment of white troops and a regiment of blacks, I think that a regiment of black cavalry costs about one-third more than a white cavalry regiment, and a black infantry regiment about one-fifth more than a white one. The reason is this: That in the colored regiments, whether cavalry or infantry, they are not self-sustaining; they have no mechanics, no clerks, very few of them know how to read and write; and of course the company officers are not allowed to hire clerks, so they, as a general rule, have to do all of their own writing, which takes away their attention from other things about the companies which they ought to have more time to attend to. The blacks do not take as good care of their equipments; they lose them. Of course they have to pay for them, but they only pay the first cost, and the transportation, of course, the government pays. Then, again, as there are no mechanics or clerks among them, they have to hire civilian mechanics and clerks, who cost a great deal more than the clerks and mechanics that the white regiments furnish for themselves. In the cavalry they are harder on their horses; they break down more horses as a general rule. Comparing them with white cavalry which I have had at my post, I am quite sure they do. When they are out from under the eyes of their officers they do not take the same care of their horses that the white cavalry do; they lose many more equipments than the whites do, and they do not take as good care of them while they have them, from under the eyes of their officers.

The CHAIRMAN. How as to their usefulness generally on that frontier?

Colonel CLITZ. Well, they are good fighters. I have heard so from officers who have been in the field with them; I am told that they show pluck and dash, and they are efficient in that way, though not so reliable even in that respect as white troops.

*Statement of Capt. J. W. Clous.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, December 10, 1877.

Capt. J. W. CLOUS appeared before the committee and made the following statement:

Mr. MARSH. What is your rank?

Captain CLOUS. Captain of the Twenty-fourth Infantry.

Mr. MARSH. Where are you now stationed?

Captain CLOUS. At Fort Brown, Texas.

Mr. MARSH. How long have you been stationed there?

Captain CLOUS. Since the 31st of December, 1872.

Mr. MARSH. Were you in that department prior to 1872, at any other point?

Captain CLOUS. Yes, sir; I first reported in Texas with my command in June, 1869.

Mr. MARSH. From 1869 to 1872 where did you serve in Texas?

Captain CLOUS. From 1869 to July, 1870, I served at Fort Griffin, Texas, and from July, 1870, to December, 1872, my station was Fort McKavett.

Mr. MARSH. What has been the character of the troubles upon the Mexican border while you have been stationed at Fort Brown?

Captain CLOUS. Raids by Mexicans on the lower river, and by Mexicans and Indians on the upper part of the river.

Mr. MARSH. How near to Fort Brown have the raids by Mexicans on the lower river been made?

Captain CLOUS. The raiders at times have passed within gunshot of Fort Brown, more frequently miles above and below; in June, 1875, I picked up eleven dead bodies of them within 12 miles of Fort Brown.

Mr. MARSH. How large a force was there, and when was it that the raiders were within gunshot of Fort Brown?

Captain CLOUS. During the raids of 1875, a raiding party of about twenty-five was trailed and seen by persons passing within view of Fort Brown.

Mr. MARSH. Were they seen by the military forces at Fort Brown?

Captain CLOUS. No, sir; their character was not then known; it was ascertained some time afterward.

Mr. MARSH. Were they seen by portions of the military force at Fort Brown?

Captain CLOUS. No, sir.

Mr. MARSH. Were they bearing any flag?

Captain CLOUS. No, sir.

Mr. MARSH. Was this in the day-time when they passed Fort Brown?

Captain CLOUS. That I do not know.

Mr. MARSH. Were you there at that time?

Captain CLOUS. I was in the vicinity of the place at that time on duty; I don't remember whether I was at the post or within a few miles of it.

Mr. MARSH. Were those raiders on horseback?

Captain CLOUS. These people were.

Mr. MARSH. Were they soldiers or citizens?

Captain CLOUS. They were citizens.

Mr. MARSH. Were they armed?

Captain CLOUS. They were said to have been armed.

Mr. MARSH. In what way?



Captain CLOUS. With pistols and rifles; they were armed like the Mexicans generally are who travel about the country.

Mr. MARSH. What was done by that party that passed within sight of Fort Brown?

Captain CLOUS. It was understood that they collected a large number of cattle and drove them across to Mexico.

Mr. MARSH. How far from Fort Brown were those large numbers of cattle collected?

Captain CLOUS. In the back country some 80 or 100 miles—perhaps 120 miles.

Mr. MARSH. This raiding party of twenty-five which passed Fort Brown, at the time they were discovered were they entering our territory or leaving it?

Captain CLOUS. They were going north, coming from Mexico. Fort Brown is on the bank of the river.

Mr. MARSH. Where did this party cross the river?

Captain CLOUS. I do not know.

Mr. MARSH. Where did they return across the river with the stolen property?

Captain CLOUS. Some little distance below Laredo; between Laredo and Ringgold Barracks.

Mr. MARSH. How long a time intervened between their passing Fort Brown and their exit with their booty across the river?

Captain CLOUS. I do not remember.

Mr. MARSH. Was any pursuit instituted by the authorities at Fort Brown?

Captain CLOUS. Yes, sir; pursuit was instituted from Fort Brown as well as from other points. Information of their passage, however, was not received until some thirty-six hours after they had passed.

Mr. MARSH. Were they pursued by infantry or cavalry?

Captain CLOUS. By mounted infantry and cavalry both.

Mr. MARSH. Did the pursuing party overtake them?

Captain CLOUS. No, sir.

Mr. MARSH. Was pursuit instituted from any other post?

Captain CLOUS. From Ringgold Barracks also.

Mr. MARSH. How many cattle did that raiding party take out of the country?

Captain CLOUS. It was said that they took out some five or seven hundred head.

Mr. MARSH. You speak of having found eleven dead bodies of Mexicans; when was that and where?

Captain CLOUS. Within 12 miles of Fort Brown, near the Palo Alto prairie.

Mr. MARSH. How far from the Rio Grande?

Captain CLOUS. About 12 miles.

Mr. MARSH. When was that?

Captain CLOUS. In June, 1875.

Mr. MARSH. How did those dead bodies come there?

Captain CLOUS. A party of raiders were coming from the interior of Texas towards Mexico with a large herd of cattle; the State troops of Texas, through spies, heard of this raid, and when the raiders passed with their booty, the State troops being near at hand, awaiting their coming, attacked them and a fight ensued, in which these Mexicans were killed and the cattle with Texas brands on them were taken away from them.

Mr. MARSH. How large a party of Mexicans were in that band?

Captain CLOUS. It was said that there were originally twenty-odd in the band, eleven of whom were killed.

Mr. MARSH. Were any of the Texas State troops killed in that encounter?

Captain CLOUS. One, I think.

Mr. MARSH. Were any of the United States troops engaged in the pursuit of that band?

Captain CLOUS. Not of that particular band. There were troops out at the time from Fort Brown and another post.

Mr. MARSH. Under whose command were the State troops that made this attack?

Captain CLOUS. Captain McNelly's.

Mr. MARSH. Did he follow the remainder of them across into Mexico?

Captain CLOUS. No, sir. The balance of them had gotten away before the fight began.

Mr. MARSH. Then he killed every one that was in the party at the time of the fight?

Captain CLOUS. He killed nearly all of them; some few wounded ones got away.

Mr. MARSH. Did he surprise them at night in camp or did he attack them in the day-time?

Captain CLOUS. The fight was in the day-time, while the band was going towards the river.

Mr. MARSH. What is the state of feeling on the part of the Mexicans across the river from Fort Brown in reference to these raids into Texas, so far as you know?

Captain CLOUS. The raiders are supported by the majority of the Mexicans, and have been at times even supported by the government officials, who shared with them their booty or connived to prevent its recovery.

Mr. MARSH. Have they been supported by the government officials since the retirement of Cortinas from that border?

Captain CLOUS. Not to my knowledge.

Mr. MARSH. Have raids been as frequent on the Lower Rio Grande within the last year as in former years?

Captain CLOUS. During the last year they have not been as frequent as they were during the years 1873, '74, and '75.

Mr. MARSH. To what do you attribute that fact?

Captain CLOUS. I attribute that fact to the enlistment into the Mexican service of a large number of the bad material of the Mexican population, and their being taken to the interior by the Diaz forces; furthermore, I attribute it to the fact that for a year and more there were two factions on the Lower Rio Grande, the Diaz and Lerdo factions, both of which were anxious to cultivate good feelings with the Americans, and as there was a state of lawlessness prevailing in their own country there was ample opportunity for the thieves to exercise their vocation at home.

Mr. MARSH. Do I understand you that the partisan leaders of the Lerdo and the Diaz factions have been disposed to cultivate friendly relations with the Americans across the river?

Captain CLOUS. They were at the time they were fighting with each other near the American border; they were largely indebted to the American side for their supplies and subsistence, particularly the Lerdo forces.

Mr. MARSH. Have the Lerdo forces been driven out from that region of country by the Diaz forces?

Captain CLOUS. They surrendered to the Diaz government about a year ago; or nearly a year ago.

Mr. MARSH. Since that surrender there have been fewer depre-dations upon the Texas frontier than before that?

Captain CLOUS. Yes, sir.

Mr. MARSH. To what do you attribute that fact?

Captain CLOUS. To the taking away in the army of a large number of the lawless people that were about there; their absorption in the Mexican army.

Mr. MARSH. Since the surrender of the Lerdo faction to the Diaz government, have the Diaz authorities upon that border been disposed to prevent those raids into Texas?

Captain CLOUS. I have no knowledge of that matter. I left the Rio Grande in May last, and I have since given the subject very little attention:

Mr. MARSH. What effect, if any, upon the disposition of Mexicans to raid into this country has been had by the order of the government directing our troops to follow a fresh trail into the Mexican country?

Captain CLOUS. That is also a subject which has come up since I left there. The extent of the territory into which raids have been made on the Lower Rio Grande is about the area of the State of Ohio.

Mr. MARSH. How large a force, in your opinion, is necessary to give reasonable military protection to that frontier from those raids on both the Upper and the Lower Rio Grande?

Captain CLOUS. In regard to that I beg the committee to excuse me. It would be unsoldierlike on my part to express an opinion on the subject, as my superiors, who are thoroughly informed of the necessities, have already done so and have in fact already taken action in the matter.

Mr. MARSH. What is the character of the Texan population along that frontier that is raided?

Captain CLOUS. It is very good. They are men of property, the majority of them; those that suffer from the raids are men of property and good standing.

Mr. MARSH. Do the raiders from Mexico receive any assistance in any way from the Texans?

Captain CLOUS. There is always on the American side of the border a floating population of Mexicans, principally fugitives from Mexico, of bad character, who may be classed as accomplices of the raiders from the other side, and who give them information, aid, and comfort when they come over.

Mr. MARSH. Are the herds of cattle and horses raided upon by the Mexicans, the herds of American owners that feed upon the wild, unfenced lands?

Captain CLOUS. Yes, sir. The owners of cattle who are of Mexican origin and reside in Texas suffer likewise.

Mr. MARSH. And those herds are watched over by herders?

Captain CLOUS. No, sir; none of the herds are watched over by herders. They are so immense, so widely scattered, and the country is so extensive that it is not possible; the cattle roam at large without any herders. I believe there are only two cattle-raisers who have extensive pastures inclosed, one of whom is Richard King, and the other Mifflin Kennedy.

Mr. MARSH. You say there was a raiding party that passed in sight of Fort Brown in 1875?

Captain CLOUS. Yes, some time in 1875.

Mr. MARSH. Was that party observed by the authorities at Fort Brown when it passed?

Captain CLOUS. It was not known until some thirty-six hours afterwards that it had passed.

Mr. MARSH. Were there any raids from Mexico into Texas in 1876?

Captain CLOUS. Small depredations, I understood, were committed by Mexicans on the lower Texas border during that year.

Mr. MARSH. Are any of the raids that you speak of, raids that came under your own observation?

Captain CLOUS. My duties during 1873, '74, and '75 were of such a nature that they naturally would; my company was then mounted as cavalry, and I was generally sent out when there was a raid reported to the authorities; besides this, frequent scouts were sent out and the river patrolled.

Mr. MARSH. In any of the cases, when you were sent out, did you come upon or overtake the raiding parties?

Captain CLOUS. No, sir.

Mr. MARSH. Then, have all the raiding parties that have been engaged and captured, or killed, been captured or killed by the Texas volunteers?

Captain CLOUS. No, sir; some of them, I think, have been killed by citizens also. The State troops were only for a short time on the lower river.

Mr. MARSH. Have any of the raiders been engaged, captured, or killed by the Regular Army, or detachments of the Regular Army?

Captain CLOUS. Yes, sir; some were killed by the troops in 1872, and subsequently. I do not remember any since 1872, except one or two engagements in 1875.

Mr. MARSH. Is the Twenty-fourth Infantry, your regiment, a colored regiment?

Captain CLOUS. Yes, sir.

Mr. MARSH. What is your opinion as to the best troops for the Texas service? Are the colored troops as good for that service as white troops?

Captain CLOUS. In my opinion they are as good as other troops, if you can get good colored troops.

Mr. MARSH. How strong are the regiments and the companies?

Captain CLOUS. That regiment is about 240 strong. I don't know as to the other regiments.

Mr. MARSH. What is the largest number of enlisted men in any one company, and what is the smallest number in any company that you can now call to mind in that regiment?

Captain CLOUS. I think 22 in one company and 29 in another.

Mr. MAISH. You say that colored troops are as good as white troops if you get good colored troops; what kind of colored troops have you down there?

Captain CLOUS. The material that has been recently enlisted is very poor; it does not compare with that that we had in former years.

Mr. MAISH. Then those that you have at this time you would say are not so efficient for that service?

Captain CLOUS. The material last enlisted is not so good as that of former years, and consequently it is not so good for that or any other service; there are still a number of good old soldiers left, but not many. I wish to make an explanation in regard to the success of the State troops in pursuing those raiders. The State troops, on the occasion referred to, had means to purchase information, and I am told also resorted to means of extorting information, which, if it had been adopted

by the United States troops, would have led them into serious troubles, probably a trial before the courts. The personal appearance of the Mexican raiders on the American side does not differ any from the appearance of the Mexican inhabitants generally on the American side; and without a warrant, or without finding a person in an overt act of committing some offense, a United States soldier had no right to arrest anybody, although he might have entertained serious suspicions as to the person's character; and on several occasions when persons have been arrested by parties with the United States troops, those parties got themselves into trouble before the courts for false imprisonment, &c. Hence the pursuit of raiders in the interior of Texas is a matter of great difficulty. They look like all the other Mexicans, and are armed nearly the same way; there is hardly any difference. On the approach of the United States troops they scatter, and the approach of the troops is heralded by their accomplices, who are constantly on the watch.

Mr. MARSH. Now state what the Texas troops resorted to.

Captain CLOUS. Well, I understand they went to work and choked a few individuals and made them tell where the raiders were coming from and where they were going to. I understand that is the way they got their information.

Mr. MARSH. That is a mode of warfare that the United States troops would hardly venture upon?

Captain CLOUS. No, sir; they would not venture upon that.

Mr. MAISH. Who are the principal sufferers from those raids in Texas; what character of people are they?

Captain CLOUS. They are a very good class of people.

Mr. MAISH. It has been stated here that nine-tenths of the people residing on the Rio Grande, in Texas, are Mexicans?

Captain CLOUS. That is true.

Mr. MAISH. Are they that character of people that are subject to those raids?

Captain CLOUS. The majority of those are Mexicans residing on American soil, many of whom are American citizens.

Mr. MAISH. What proportion of them are American citizens?

Captain CLOUS. That I would not venture to say.

Mr. MAISH. Could you approximate?

Captain CLOUS. No, sir; I have no information on that subject.

Mr. MAISH. But many of them, you say, are American citizens?

Captain CLOUS. Yes, sir. They vote, at least.

Mr. MAISH. These raids are perpetrated among people that are said to be about nine-tenths Mexicans?

Captain CLOUS. Yes, sir. The Americans, however, own the largest part of the cattle and ranches.

The CHAIRMAN. Among those Mexicans that reside on our side and have ranches, the Mexican raiders who come over after cattle have many accomplices to assist them?

Captain CLOUS. Yes, sir; many accomplices—a floating population that comes over from the other side, in consequence of the constant disturbances and political agitations on the Mexican side.

The CHAIRMAN. Has any part of the country down there, that has been settled and inhabited, become depopulated by reason of these raids, to your knowledge?

Captain CLOUS. Yes, sir. I have, during my travels throughout the country, found many abandoned ranches (as they are called), in consequence of insecurity of life and property.

The CHAIRMAN. Do you know that the abandonment was for the rea-



son that you speak of, or was it because grazing in the vicinity had become bad?

Captain CLOUS. It was for the reason I speak of. All that the people had had been stolen and their lives endangered.

The CHAIRMAN. Were these people who had left their homes Americans or Mexicans?

Captain CLOUS. Some Americans, but the majority Mexicans.

The CHAIRMAN. Does this insecurity arise entirely from those Mexican raids?

Captain CLOUS. Yes, sir.

I would like to remark further that, on the Mexican side of the river between Matamoras and Camargo, the ranches are very thickly populated on the Mexican side, and their means of defending themselves and repelling people from our side are very excellent. A large force of Mexicans can be raised within a short time of an alarm. On each ranch they have a chief of the rural police whose duty, on the approach of danger, is to send couriers to the neighboring ranches, so that five, or six, or seven, or eight hundred well-armed men can be got together in a very short time.

The CHAIRMAN. Do you mean to repel raids from Texas into Mexico?

Captain CLOUS. I refer now to the passage of troops in pursuit of raiding parties. There have been no raids from Texas into Mexico since I have been there.

Mr. CLARK. Do you know of these abandoned ranches along the Texas border of your own personal knowledge?

Captain CLOUS. I have been to those ranches, which I have known to be abandoned for the reason that life and property was so insecure.

Mr. CLARK. Was this insecurity in consequence of depredations?

Captain CLOUS. In consequence of depredations by the Mexicans.

Mr. CLARK. Depredations within your immediate knowledge, which occurred within a short time previous to your visits?

Captain CLOUS. Yes, sir.

Mr. CLARK. How long previous to your visits?

Captain CLOUS. For instance, the Corpus raid was in 1875, and I went there a month or two afterward. I went up there on the heels of the Corpus raid, and shortly afterward I found the ranches abandoned.

Mr. CLARK. Do you know anything of the productiveness of those ranches?

Captain CLOUS. They were merely grazing-ranches, habitations for the people who lived there to look after stock.

Mr. CLARK. Do you know whether they could be carried on with profit independent of the raids? Suppose there had been no raids, would they have been continued there profitably?

Captain CLOUS. They might have been continued so.

Mr. CLARK. How many of those ranches do you know of that have been abandoned in consequence of these depredations? I refer now to your personal knowledge, not knowledge derived from reports.

Captain CLOUS. Within my own personal examination, I know at least of half a dozen on the route on which I usually traveled to Kings ranch.

Mr. CLARK. Within what limits are they? Indicate on the map.

Captain CLOUS. On the road from Brownsville toward Corpus Christi.

Mr. CLARK. Over what extent of territory does that extend?

Captain CLOUS. About one hundred miles or more.

Mr. CLARK. Can you approximate the number of acres comprised in each of these ranches?

Captain CLOUS. They are not fenced in; I could not say.

Mr. CLARK. When do you say this was?

Captain CLOUS. In 1875.

Mr. CLARK. Since that time have you known of any?

Captain CLOUS. I have not been up there since that time.

Mr. CLARK. Then you know nothing about the situation of affairs since that time, excepting from reports?

Captain CLOUS. Except from reports.

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*Testimony of Lewis Johnson.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., December 4, 1877.

Examination of LEWIS JOHNSON.

By Mr. BRAGG:

Question. What is your rank?—Answer. Captain, Twenty-fourth Infantry, and Brevet Lieutenant-Colonel United States Army.

Q. At what post are you stationed?—A. At Ringgold Barracks, Texas.

Q. What troops are stationed there?—A. I left four companies of my regiment there, and three companies of cavalry.

Q. How long have you been stationed in Texas?—A. Altogether since March, 1868.

Q. How does the force on the Texas frontier compare at present with what it was in 1871, 1872, 1873, 1874, and 1875?—A. I think the force is about the same, though I merely speak from memory.

Q. What has been the character of the raids into Texas since you have been stationed on the frontier?—A. There have been a good many raids made for the purpose of stealing cattle, and also at times for the purpose of plundering the inhabitants.

Q. Have the raiders ever been formed in organizations?—A. I have heard of several instances in which they have been.

Q. At what time?—A. I think that in 1875 a large band raided in the direction of Corpus Christi, which seemed to be an organized band.

Q. Do you know of any other instance?—A. Another instance was that of the party which was defeated by Captain McNally, which was also, I think, in 1875.

Q. Did these two organized bands pretend to travel under any colors?—A. I think not.

Q. Were they organized military bands or organized bands of thieves?—A. They were organized bands of thieves.

Q. What nationality were they composed of?—A. Mexicans.

Q. In what number do these bands usually cross the river to thieve?—A. The bands differ in size. I have heard of parties as small in number as eight or ten men, and as large as forty or fifty.

Q. Which are the more frequent, the small parties or the large parties?—A. The small ones.

Q. In crossing the river to come into Texas, do they come together as a band or are they disorganized, and do they come privately and afterward organize in the interior of Texas at some point of rendezvous agreed upon?—A. I can only say as matter of supposition that they cross in small parties and that they concentrate on our side.

Q. How does the frequency of these incursions correspond in the past season with previous years?—A. During the recent revolution in Mexico there seemed to be a lull in the raids. They were not as frequent as they had been before.

Q. Do the civil authorities in Texas take any measures to check the thieving parties that come over the river, or is that matter intrusted entirely to the troops of the federal government?—A. The civil authorities are so few in number on our side that the matter is virtually left to the troops.

Q. In your judgment, what military force would be required to protect that frontier as well as it can reasonably be protected?—A. My idea as an infantry officer is that two full regiments of infantry and one full regiment of cavalry would be sufficient to protect the border from the mouth of the river up to and including Fort McIntosh.

Q. How much above Fort McIntosh, if at all, do these raids occur?—A. The cattle raids by Mexicans occur generally between Fort Brown and Fort McIntosh; that is about the range.

Q. Are these the raids which are principally complained of by the Texas people?—A. Yes; but there are also a good many raids complained of which are made by Indians above Fort McIntosh.

Q. Is there not a military force above there taking care of those Indian raids independently of the line between Fort McIntosh and the mouth of the Rio Grande?—A. No. The troops at Fort Clark, Fort Stockton, and Fort Davis are intended to watch this line, but all these posts are some distance from the river.

Q. Between Fort McIntosh and the mouth of the river, what military force is now stationed?—A. I think there is only one company at Fort McIntosh, seven companies at Ringgold Barracks, and seven companies at Fort Brown. The seven companies at Ringgold Barracks are not all located there; some of them are at Edinburg.

Q. What do you mean by two full infantry regiments; do you mean regiments of a thousand each?—A. Yes; about that number.

Q. And the cavalry the same?—A. Yes.

Q. Then, in your judgment, a force of 3,000 men would be required to protect that frontier from Fort McIntosh down to the mouth of the river?—A. About that, to do it effectually.

Q. Would you establish any additional posts there?—A. Yes.

Q. How many would you establish between Fort McIntosh and the mouth of the river?—A. I think I would establish a post at Edenborough, which is between Fort Brown and Ringgold Barracks, and I would establish a post at Romax, which is between Ringgold Barracks and Fort McIntosh, and probably one above Fort McIntosh.

Q. What would be the distance between these several posts, respectively, after you had established such as in your judgment the exigencies of the service require?—A. Edenborough is located about 60 miles from Fort Brown and about 40 from Ringgold Barracks. Romax is about 15 miles from Ringgold Barracks, but it is near the main road to Monterey, and is near the Mexican town of Mier, and it is in the vicinity of these towns that I have always understood cattle-raids are organized.

Q. If infantry was to be used rather than cavalry, would that not require greater frequency of posts?—A. No. My idea is, to establish infantry pickets at the principal crossings and have the cavalry patrol along the river.

Q. Then you think that infantry should be in excess of cavalry?—A. I do, for the permanent guarding of the frontier as a frontier cordon. Of course, if it be the intention to follow raiders across the river, a

larger force of cavalry would be necessary, although in that region troops would not go very far without meeting great opposition on the part of Mexicans, and therefore infantry would do better in the chaparral than cavalry.

Q. What force do you think the necessity of the service would require to be established at any given post for the purpose of picketing?—A. That would depend upon the population opposite.

Q. I mean with reference to the size and character of these raiding parties, as your experience has shown them to have been,—A. I think that pickets of 8 or 10 men at the principal fords would be sufficient, with a good reserve of infantry—say 4 or 5 companies—in the now-existing posts, with a smaller force in the posts between.

Q. How far would that place your reserves from your pickets?—A. That of course would depend entirely upon the location of the picket. It would not place the reserve, I think, quite a day's march from the picket—about 20 miles.

Q. Above Fort McIntosh, what, in your judgment, does the service require?—A. I think there is a post required at Presidio, of the Rio Grande. Its exact distance from Fort McIntosh I do not know.

Q. Would that include all the posts?—A. No; there is Fort Duncan above there which is occupied already, and I think that Quitman should be reoccupied. That is higher up still and immediately on the river.

Q. That is occupied principally in regard to another class of marauders?—A. Yes; in regard to Indian marauders.

Q. I am speaking in regard to the Mexican marauders.—A. This post at Presidio would be also a protection against cattle-raiders. Occasionally cattle-raiders come from that direction into the country along the Nueces.

Q. Would that require to be guarded by a considerable body of troops?—A. No, sir; I think that one or two companies of cavalry and a company of infantry would be enough.

Q. What would be the whole aggregate of troops necessary from Presidio down in order to protect the river-front?—A. About three thousand men, I think. It would depend a good deal on the Mexican force on the other side.

Q. I am not now speaking in regard to the Mexican force on the supposition that it is encouraging the raiders, but I am speaking of the force necessary to give protection to Texas against the armed bands themselves independently of any government support which they may receive in Mexico. Do you know how many troops there are now on that line?—A. Including the posts at Brown, McIntosh, and Ringgold Barracks, there are not, I think, more than 800 men, and probably not an effective force of more than 600 men.

Q. Was the frontier ever occupied by so many troops as you suggest the necessities of the service require?—A. I do not know. I believe that it was held by a large force immediately after the war of the rebellion closed.

Q. Is there any greater necessity for troops there now than there has been since 1871 or 1872?—A. I do not know. I was at Fort Brown in 1872, and at that time the people of Texas were very much alarmed in regard to Cortina's raids, so much so that I recollect the commanding officer at Fort Brown applied for large re-enforcements. I marched down from Fort Clark in September, 1872, and found (especially on the Lower Rio Grande) that the people were very much alarmed. I saw indications myself of the cattle-raids as I marched along the river—a

great many trails that had been made by cattle which had been crossed into Mexico.

Q. Have the raids decreased or increased since that time?—A. I think they are about the same. They decreased considerably during the Diaz revolution.

Q. That was the result of the occupation given to the thieves from livelier times across the river?—A. It has been attributed to that cause.

Q. You are partial, I apprehend, to the infantry arm of the service?—A. I am. I think that infantry is as effective as cavalry, as has been shown in the late riots and in the Indian campaigns.

Q. But for rapidity of march, in order to arrest raiding parties, you would not expect, of course, that infantry can compete with cavalry?—A. Not for a short dash. For a two days' march I think that cavalry is of course by far more effective than infantry.

Q. What would be the proper distance, in your judgment, between the posts in order to make a sufficient and suitable patrol from post to post?—A. I think thirty or forty miles.

Q. And what size of parties would you have as patrols?—A. I think that ordinarily ten or fifteen men would be sufficient as a patrol.

By Mr. MAISH :

Q. Do you speak from personal knowledge concerning those raids?—A. Yes; I have personal knowledge of them so far that I have been stationed at the posts and have been present when a good deal of information in respect to the raids has been received, and in some cases I have seen the actual evidence of the raids.

Q. Give us just such information as you have been personally cognizant of concerning raids.—A. The fact is that there have been so many raids there that it would be a hard task to answer your question.

Q. Begin with the year 1868 when you went there. Have you any personal knowledge of any raids in the year 1868?—A. Yes, I have. I was stationed then near the Staked Plain at Fort Stockton, and have personal knowledge of a party of about ten or twelve Mexicans in the Indian disguise who were captured within a few miles of Fort Stockton, where they were held some time for trial by military commission, but they were subsequently released.

Q. For what reason?—A. I believe they were released on a writ of habeas corpus sued out at Franklin in the State of Texas.

Q. Do you know what was done with them?—A. I do not.

Q. You simply know that they were arrested; do you know that they had stolen any cattle?—A. No; but they were on their way to the emigrant route along the Pecos River, and the fact that only hostile Indians frequent those parts constituted evidence that these men were bound on that errand. Many cattle were being sent at that time from Texas to New Mexico and California. That was in 1868 or 1869.

Q. Have you any knowledge of any other raid by Mexicans in either of those years?—A. The mail-stations along the mail-route were repeatedly attacked and the stock stolen, and it was said by soldiers that on some occasions Mexicans were joined with the Indians in making those attacks. Our soldiers guarded the mail-stations.

Q. Were those soldiers under your command?—A. A part of them were.

Q. When you say repeatedly, about how often do you mean?—A. I really cannot tell. I should say that probably a dozen of those attacks on the mail-stations came to my knowledge between the years 1868 and 1872.



Q. Were there any casualties from those attacks?—A. I do not remember any casualties occurring to the soldiers.

Q. Or to the raiders?—A. Nor to the raiders. I remember when I was stationed at Horsehead Crossing in 1868 that Texans came repeatedly to my post, stating that their cattle had been taken away from them, and, in one instance, asking me to go out and attempt the recapture of some 1,500 head that had been taken by Mexicans and Indians. The cattle were said to have been taken near the Guadalupe Mountains near the New Mexican frontier.

Q. Did you go?—A. I did not; because infantry would have been unable to overtake the Indians. The party who gave me the information had traveled 60 miles to give it to me; and before I could have marched with infantry that 60 miles, of course the Indians would have been a week's time away from there.

Q. That was not properly a Mexican raid, was it?—A. No, sir; it was not, properly speaking, a Mexican raid; still, the Indians who committed it were supposed to have come from Mexico.

Q. Through New Mexico?—A. No, sir; through Texas. They crossed the Rio Grande, and came up in that direction to head off the stock which was being driven from Texas into New Mexico.

Q. What personal knowledge had you of raids made in 1870?—A. I have included 1870 and 1871 in my statement in regard to the number.

Q. How was it as to 1872?—A. I remember that in 1872 there were quite a number of raids. That was the year in which I changed stations twice, marching from Fort Stockton all the way to Fort Brown. On my way from Fort Stockton to Fort Clark, in March, 1872, I think, occurred an attack upon a freight-train at Howard's Well. It was a train from San Antonio, intended for Fort Stockton, and partly laden with government freight. I think that most of the Mexicans who were with the train were killed. The train was robbed and set fire to, and the Mexicans of the train were in some instances terribly mutilated. Some of them were tied hand and foot and thrown into the wagons, and coal oil was poured on to the wagons, and they were set fire to. General Merritt came along a short time afterward, found the train still burning, rescued some of the badly wounded men, and sent a party of cavalry in pursuit of the Indians and (as was commonly reported) Mexicans. The band was said to be composed partly of Mexicans and partly of Indians. They were overtaken about dusk and were attacked, and in the fight which took place Lieutenant Vincent of the Ninth Cavalry was killed, and several of our men wounded.

Q. Where was the party overtaken?—A. I think about 9 or 10 miles from Howard's Well.

Q. In Mexico?—A. No; on our side.

Q. Was this a Mexican train that was attacked?—A. It was an American train, but the teamsters were Mexicans. I think it was a San Antonio train intended for the upper posts, and containing government freight—among other articles, ordnance-stores that were intended for Fort Stockton. A detachment of my company was stationed quite near to where the train was attacked, and when the killing of the Mexicans took place, a detachment of five soldiers and a non-commissioned officer drove back the attacking party of Mexicans and Indians (as I have explained). Our force was too small to sally out or do anything for the defense of the train; but I have it from my sergeant and the soldiers who were there that Mexicans were seen among the Indians. The whole party were said to have numbered about 140. Then I marched to Fort Clark and was stationed there about six months, and during that time

raids of Mexicans and Indians were of quite frequent occurrence. As an infantry officer, not called upon to pursue these raiding parties, I know of them from the fact that troops were hurried out in pursuit of them, on the complaint of farmers and others coming in and giving information. Quite frequently, small parties of our cavalry were sent out, and on one occasion (I do not recollect the exact date) all the available cavalry was sent out in different directions.

Q. Do you know whether they ever met these raiders?—A. I think not. These raiders were, as usual, supposed to be Mexicans and Indians. In August, 1872, I left Fort Clark and marched to Fort Brown. While at Fort Brown I heard of raids very frequently, and I also saw that the small force of cavalry there (in fact it was composed of mounted infantrymen of my regiment) was kept very busy, and seemed quite inadequate to the demands made upon it. Of course, as an infantry officer, I was not personally called upon to follow in pursuit, but I remained in garrison. I was, however, frequently present when complaints were made and information given in reference to raids, and I have seen the cavalry march off in pursuit.

Q. That brings us up to 1873?—A. Yes. I cannot particularize; but raids were continued from 1873 up to 1875, at intervals, in about the same way, and murders of Mexicans and of Americans on our side were often reported. In January, 1875, I think, a picket of the Ninth Cavalry, near Ringgold Barracks, was attacked by a party of Mexicans and two of the soldiers killed. I think that our men killed one Mexican and wounded several others.

Q. Who was in command of the picket party?—A. A non-commissioned officer. It was a small picket of four or five men which was stationed near a ranch, and was attacked in the night. The men were compelled to run into the post at Ringgold Barracks. That I know from the fact that it was reported at the headquarters at Fort Brown—a regular military report. Fort Brown, I believe, was at that time the district headquarters, where official reports were received. In the spring of the same year an American named Alexander Morell was killed in Hidalgo County, near Edenborough.

Q. By Mexican raiders?—A. It was supposed so.

Q. What is your information about it?—A. I heard Morell's brother say that Mexican thieves killed him.

Q. What do you know about McNally's fight with Mexicans?—A. McNally had two fights with Mexicans in 1875. He had one fight near Palo Alto, I think, in which he killed 8 of the Mexicans. That was a raiding-party.

Q. He pursued the party into Mexico, did he?—A. No, sir. That pursuit was at a later period. I am not very positive in respect to the dates, but it was about that time also (no, it was later) that Captain Randlett of the Eighth Cavalry, struck the trail of a raiding-party which was driving a herd of cattle to the river. He came up with them as they were crossing and fired upon them, but it was too late for him to cross the river at that time of day. Shortly afterward Captain McNally arrived with his company, and Captain McNally crossed first and then Captain Randlett crossed shortly afterward. Captain McNally had a little skirmish with the Mexicans on the other side. My information about that is derived from the fact that I was in the adjutant's office at Fort Brown when Captain Randlett's report was received, and I also saw the party which went in support of Captain Randlett and Captain McNally starting from Fort Brown.

Q. Did they recover the cattle?—A. A few head of cattle were re-

turned by the authorities at Camargo. This last affair was the Las Cuevas fight, as it was called.

Q. Did any of the Texas militia participate in the fight?—A. The Texas militia had the fight on the Mexican side.

Q. Who commanded them?—A. Captain McNally. He was in command of the militia, and Captain Randlett was at first in command of the regular troops. Then Major Clendenning, from Ringgold Barracks, took command, and then Major Alexander.

Q. Was the Texas militia under the command of our regular officers there?—A. No, sir.

Q. They pursued these raiders across the river without any orders from any United States military officer?—A. They pursued them on the authority of the governor of the State.

Q. Did a gunboat on the Rio Grande, belonging to the United States, participate in that fight in any way?—A. No, sir; the gunboat ever since its arrival has been lying idle at Brownsville.

Q. Do you know who was in command of the gunboat then?—A. The gunboat was commanded, I think, by Lieutenant-Commander Kells. The gunboat participated thus far—that the Mexicans made a very hostile demonstration against us at Fort Brown, and mounted an old cannon opposite the ferry, and this gunboat was got in readiness and commanded the Mexican battery. There was a great deal of excitement at the time on the Mexican bank of the river in front of Fort Brown.

Q. In short, Captain McNally's raid almost brought on a war?—A. It would have been quite easy at that time to have brought a war there, because both sides were very excited; but the Americans, being so few in number in comparison with the Mexican population, are not over anxious to get into a war.

Q. Was there a Gatling gun used by the Texas militia on that occasion?—A. No, sir; the Gatling gun belonged to the regular troops. It was merely in position to protect the crossing.

Q. It was not fired?—A. I think not. The regular troops did not participate in the fight. It is possible that Captain McNally may have had the gun, but did not use it.

Q. You were there and knew all about it?—A. I was at Fort Brown, and the fight occurred not quite one hundred miles above Fort Brown, at Las Cuevas.

Q. But this demonstration which you speak of by the Mexicans was made in front of Fort Brown?—A. Yes, sir.

Q. And the gunboat was there?—A. The gunboat was at Fort Brown.

Q. Did you state the date of these occurrences?—A. The Palo Alto fight was, I think, in June, on our side of the river; and the second fight, which was on the Mexican soil, was, I think, in November, 1875.

Q. What is your opinion about the Texas militia as a guard along the border?—A. The Texas militia, I think, is very efficient in the matter of fighting the cattle thieves. The men are generally good shots, and are daring fellows; and, I think, that as an irregular cavalry they do very well; but I would not like to intrust the sole defense of the border to them.

Q. Why?—A. Simply because they are militia, and are not under as good discipline as regular troops.

Q. You think they are desirable to have in conjunction with the regular troops?—A. Yes; I do.

Q. Now, we have come down to 1876; what do you know of raids in that year?—A. In 1876 there was a lull in the raids along the Rio

Grande from the fact that almost all the thieves were participating in the Mexican revolution on the one side or the other.

Q. Then you have no raids to speak of from the time of Captain McNally's last fight up to the present time?—A. There were raids, but not of as frequent occurrence.

Q. Do you personally know of any?—A. I know of them in so far as seeing the troops go out.

Q. Can you mention any particularly?—A. No, sir; I cannot undertake to do so.

Q. Do you know Cortina?—A. Yes.

Q. State whether or not, since his absence, the raids have been less frequent.—A. They have been. He has been absent since the revolution, and I have already stated that there has been a lull in the raids.

Q. Has that lull been attributable to his absence?—A. Partly to that and partly to the occupation of the thieves in the revolutionary struggle.

Q. Has Cortina any adherents on the American side?—A. Not many. There may be a few, but not many.

Q. Do you know whether these Mexican raiders have any adherents on our side, any persons profiting by raids?—A. I do not know of any.

Q. Have you ever heard it said that they have?—A. I have heard it suggested that there may be; but I have no positive or reliable information that there are any sympathizers, or aiders or abettors, on our side.

Q. Have you ever been told that there were?—A. I do not recollect ever being told so. I think not.

Q. What is the character of the population immediately along the Rio Grande, in Texas?—A. They are principally Mexicans. In the towns along the Rio Grande there are quite a number of Americans, and there are a good many Americans in Brownsville, and a few in Rio Grande City. Then there are foreigners, who are naturalized American citizens, in all these places.

Q. Does the Mexican element predominate in that belt of country along the Rio Grande?—A. Yes, sir; about ten to one.

Q. Are those Mexicans naturalized American citizens?—A. I do not know. A good many of them vote, I believe.

Q. How thickly is that belt of country populated? Are there a great many ranches along there?—A. Between Brownsville and Rio Grande City there is quite a dense population along the river, and there are a good many large ranches. These ranches compare with the villages in European countries in which there are a great many farm laborers. Some ranches probably number as many as five or six hundred souls.

Q. Can you tell the average of population per square mile?—A. No, sir; but when you are traveling between Brownsville and Rio Grande City you are almost constantly passing along the ranches.

Q. You said that the civil authorities there afford no aid in suppressing these troubles?—A. I said that the civil officers were so few in number that they virtually did not.

Q. Why is that so?—A. Cameron County is a very large county, and I believe it has but one sheriff and a few deputies. Hidalgo County is another very large county, and Star County, above that, is another very large county; and a great portion of these counties is not closely populated. The population seems to be especially along the river, and where the people can raise crops by irrigation.

By the CHAIRMAN:

Q. Do the military authorities there give all the protection that can be given with the number of troops that they have?—A. Yes, sir; I think so.

Q. What is the disposition of the Mexican authorities toward these raiders; do they endeavor to prevent these raids, or do they encourage them?—A. I cannot say, of my own knowledge, only what I have heard stated.

Q. I do not mean the revolutionists, but the proper Mexican authorities.—A. The Diaz authorities are now in force along the river. My experience has been with the authorities along the river that they are disposed rather to pass over these matters, and not to render any effective aid in preventing these raids. As to the disposition of the Mexican Government itself, I think it is in favor of suppressing the raids, but the local officers and the rural police along the Rio Grande are, I think, with these thieves. In fact, I know that the captain of local police at Camargo, Ramon Galza, is himself a grand thief. My reason for saying so is that I have some personal acquaintance with the fellow. In September, 1876, I was sent over to demand the rendition of an alleged murderer who had escaped from our side. I was met by Galza, at the head of his command, and he said that the man I was in search of was not in town. I replied that I knew he was; and the only answer that I received was an order to recross the river. My invasion was not a very formidable one. I had with me only another officer, a guide, and an orderly, and there was not even a pistol in the party. I had demanded the peaceable rendition of this escaped man. Galza, at the head of forty or fifty Mexicans, made quite a formidable demonstration before us, and demanded our immediate return to the bank of the river. I had crossed over under orders to demand from the Mexican authorities the return of this man, whose name was Brigido, who had escaped from the Rio Grande City jail. He was on the river-bank as we crossed the river, but he escaped into the chaparral. We went into Carmargo, and were met at the plaza by this Capt. Ramon Galza, who said that he was in command of the place, and who would hear of nothing but of our recrossing the river. But my demand was backed up by the whole of the garrison from Ringgold Barracks which came to my support. It all resulted in nothing, however. The civil authorities made profuse promises, but they rendered absolutely no aid, and on the strength of their promises our command recrossed the next day.

Q. Then, while the local Mexican authorities may encourage the raiders, you think the Diaz government itself does what it can to suppress them?—A. I believe it is now endeavoring to do so, but the Diaz government has absolutely no authority on that frontier, or, at least, seems to have none.

Q. Are there any raids of Indians and thieves from our side into Mexican territory?—A. I never heard of one, and I would have heard if there had been any.

Q. What is the strength of your regiment?—A. Two hundred and fifty or two hundred and seventy-five privates—about three hundred and twenty-five enlisted men.

Q. What is the number of men for duty in the strongest company of your regiment, and what is the number of men for duty in the weakest company of the regiment?—A. That I cannot tell. I have no information in regard to any other company except my own and those that were at the post where I had been stationed. This averaged about thirty men each, or one hundred and twenty men in the whole four companies, including non-commissioned officers.

Q. Taking out the non-commissioned officers and the extra-duty and detailed men, about how many are there for duty in each company?—A. About twenty.



Q. Are they colored soldiers?—A. Yes, sir.

Q. What is your opinion as to the use of colored soldiers on that frontier?—A. I think they are as good and as efficient as a good many white regiments, but they are not as good as they were immediately after the war closed. At that time a good many colored soldiers from the volunteer service joined the Army.

Q. In your opinion should the troops on that frontier be white soldiers or colored soldiers?—A. I think that that makes no difference.

Q. Are the colored soldiers more apt to be friendly with the Mexicans or to desert into Mexico than white soldiers are?—A. According to my experience colored soldiers do not desert nearly as much as white soldiers do. Generally speaking, they are quite friendly with Mexicans, especially with Mexican women. In fact, there is no prejudice on the other side in regard to color. In 1867, during the Mexican war of independence, the war of Maximilian, many colored soldiers from our side deserted and were made officers in Mexico.

Q. Is there an extradition treaty between Mexico and the United States?—A. Yes, sir.

Q. You spoke of guarding the fords on the river; is not the river fordable at almost any point at certain seasons of the year?—A. Yes, sir; at certain seasons.

Q. And it is during those low stages of the river that the rails are made?—A. Yes; they increase in frequency during that time, but they are made at all seasons.

By Mr. McCook:

Q. What are the facilities for communication between the posts on the Rio Grande, so far as military roads are concerned?—A. They are the ordinary wagon-roads. In good weather those roads are good. Between Ringgold Barracks and Fort Brown the road is good in dry weather, but it is very bad in winter.

Q. Has there been any attempt by the military authorities to build a good military road for the speedy movement of troops?—A. No, sir; there is a telegraph-line there.

Q. Then the marches between these distant posts are made with great difficulty and are very slow?—A. Yes, sir; I have known the roads to be impassable in the vicinity of Brownsville.

Q. Are there any insuperable obstacles in the way of making a comparatively good military road there?—A. I do not think so. In the vicinity of Brownsville there are overflows of the Rio Grande, which would present great obstacles to making a very good road.

Q. In that season of the year those raids do not occur, do they?—A. They sometimes occur even then.

Q. How do they get the cattle across the river at those times?—A. Cattle have been driven hundreds of miles in Texas, and I have heard it stated that they have been collecting cattle for weeks in the chaparral that bounds the river for a long distance.

By Mr. White:

Q. What is the largest organized body of United States troops that has crossed the river within the time you have been there?—A. I think that the largest has been that of General Mackenzie, on the Upper Rio Grande. He crossed over in pursuit of a party of Indians and captured quite a number of them—Kickapoos. He went a considerable distance into Mexico. That was in 1873, I think. I think he had 400 or 500 men with him.

Q. Did he meet with any opposition from any organized bodies on the

other side?—A. Only from Indians. He crossed in the vicinity of Fort Clark, where there are few Mexican settlements on the other side.

Q. Then you have been practically doing police duty along that river since you have been there?—A. Yes, sir; since 1872.

Q. Is that an agreeable duty to the soldier?—A. It is not a very agreeable duty.

A. Is it a kind of service that is acceptable to Army officers?—A. It is more acceptable at times than being out in the Indian campaigns and running for six months without any respite.

Q. Are there any respectable people living along there on the Mexican side, people whom it is agreeable to have social intercourse with, or is that country only inhabited by thieves and marauders?—A. In the cities there are some very respectable people. There are some in Matamoras, and Edinburg, and Camargo, but they are principally Europeans or Americans.

Q. Is there intercourse between these people and our soldiers?—A. No; not with the soldiers. There is some intercourse between the officers at Fort Brown and the citizens of Matamoras, but that is restricted to association with Americans and Europeans who are living there.

Q. You say that Diaz is trying in good faith to preserve the peace of that border?—A. Yes.

Q. Is he able to do so?—A. I think not.

Q. Had the Mexican authorities before him the same disposition?—A. I think not. I do not think that the Lerdo government had the same disposition.

Q. Do you think that the Mexican authorities encourage these raids, or that their partisans encourage them?—A. The people of Tamaulipas encourage them.

Q. Were they partisans of Lerdo's?—A. A good many of them were. Cortina was a partisan of his for a time, I think, but he is principally his own friend. He is considered as the owner of the State of Tamaulipas.

By Mr. MARSH:

Q. Do these Kickapoo Indians that you speak of belong to Mexico?—A. I think that they crossed over there from the Indian Territory during our war in 1863.

Q. What is the strength of the Kickapoo Indians?—A. I have no idea.

Q. Are these Indian raids from Mexico confined to the Kickapoos?—A. No; they are also made by the Lipans. I believe it was the Confederate draft, or dissatisfaction with affairs in the Indian Territory, that drove these Kickapoos out when they went to Mexico.

Q. Do you know how large a party of them went over?—A. No, sir.

Q. Where in Mexico are they located?—A. I do not know exactly, but it is in that part of Mexico which is opposite to Fort Clark. Their range is between Fort Duncan and the Presidio del Norte.

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., December 14, 1877.

*Testimony of H. C. Corbin, of the Twenty-fourth Infantry.*

Examination of Capt. H. C. CORBIN, of the Twenty-fourth Infantry.

By Mr. MARSH:

Question. Where are you now stationed?—Answer. My temporary station is in the city of Washington; my permanent station is with my regiment on the Rio Grande. My company is at Ringgold Barracks.

Q. How long were you on the Rio Grande?—A. I have been on the Rio Grande from 1869 up to last October, when I came in on general recruiting-service.

Q. Whereabouts on the Rio Grande have you been stationed since 1869?—A. In 1869 and 1870 I commanded the post at Fort Clark, Texas. In 1871 I served at Fort McKavett until some time in 1872, when I was ordered with my company to Fort Brown, near the mouth of the Rio Grande, where I served (a portion of the time in command of the post) until I went to Ringgold Barracks, and there I served until I came here.

Q. Do you know anything about raids being made by Mexicans and others from the other side of the Rio Grande into Texas?—A. I know by common and official reports that there have been raids made from the Mexican side of the Rio Grande into Texas.

Q. Have there been any raids from Mexico into Texas, composed of marauding parties, within the last year?—A. Not to my knowledge. There have been none on that portion of the line where I have been serving except the attack which was made on the Rio Grande City jail last June. There have been some marauding parties that crossed the river higher up, in the vicinity of Duncan and Clark; but I have no particular knowledge of them other than what I read in the newspapers and learn from officers serving there.

Q. Do the officers and soldiers of your regiment have any social intercourse with citizens on the opposite side of the river?—A. Yes, sir.

Q. What is the condition of public sentiment there toward the American people on the Texas side of the river?—A. That would admit of two answers. The people proper on the other side of the river, perhaps, have feelings of considerable animosity toward the United States; but in reality it is only a feeling of faction from one side of the river against a faction on the other side, which factions have been continually interfering with each other there for years. The higher class of people and the officials have, I believe, a very high regard for us and our people; a very kindly feeling, so far as I have ever been able to understand (and I have been very intimate with them). They have done all that was possible or that was consistent with their dignity to cultivate the best feeling possible. They have always regarded, and have always so expressed themselves at our dinner-parties and official gatherings, [that everything was to be gained by a mutual good understanding, and that everything was to be lost by quarrels and dissensions.

Q. You refer to factions on each side of the river; what do you mean by that?—A. All the land bordering the Rio Grande on the Texas side belonged, at some time or other, to the Mexican people, and to-day the land-titles bordering on the Rio Grande, are of that character as would hardly justify one in purchasing land here; that is, the old Spanish grants and old titles and the new titles given by the State of Texas are

all questionable in the courts. A great many people living on the other side of the river claimed the land on this side by virtue of old Spanish grants, while the men on this side claim it on account of some title which the State of Texas has given them. Ever since the annexation of Texas, I suppose, if a man commits murder, or violates the law in any way, on this side of the river, his first thought is to get on the other side, and it is the same on the other side. If a man there violates the law of Mexico and gets into the wilds of Texas, he considers himself, for the time being at least, safe.

Q. What do you mean by factions on this side which the factions on the other side are contending with? Do you mean difficulties growing out of disputes to the title of land?—A. I think that among the common people the question of cattle-brands, the question of title to land, and the fact that people on this side are outlawed from the other side, and that people on the other side are outlawed, to some extent, from this side, make bitter feeling. They regard each other as a kind of common enemy. I speak now altogether of the Mexicans who are American citizens, and what I say hardly applies to the native-born Americans living there. But it is very difficult for any person not familiar with the boundary-line to tell where Mexico leaves off and where the United States begin, from any difference in the habits, customs, and appearance of the people. From Brownsville to El Paso, even on our bank of the Rio Grande, the Spanish language is a common language.

Q. Is there any hostility between the Mexicans on the Texas side of the river and the Mexicans on the Mexican side of the river, or do they fraternize harmoniously together?—A. As a general thing I do not think that they do fraternize. The interests of the common people on this side of the river are scarcely the interests of the people on the other side. It is an almost impossible thing to explain to you exactly the condition of affairs that exists there. For instance, \$5 is quite a fortune to a Mexican. He can gamble and live a long time on \$5. He crosses the river to the American side, kills a beef, gets the hide off and carries it to Matamoras, where he can sell it for \$5, and with that money he is well off for some time. That is done often, and it makes the people on this side mad with the people on the other.

Q. Is there any thieving done on the other side by parties living on this side?—A. No, sir; for the simple reason that they have no stock near the river on the Mexican side. The wars and revolutions have been of so long continuance that, aside from its not being as good grazing country on the western side of the river as it is on the eastern, they have used up the cattle so that the ranges are altogether on this side of the river; and the neighbors on the other side have the advantage of us that we have cattle to steal and they have none. I do not pretend to say by that that our people would steal their cattle.

Q. How do the people on the Mexican side of the river along the Rio Grande support themselves?—A. By limited agricultural pursuits. They have some small ranches and some goats, and farther on in the interior they have stock-ranges. But the people from Matamoras up to Mier, or up to New Laredo, live to a great extent on the government patronage. That region is what is known there as the Zona Libre, and the government employs a great many custom-house inspectors. Nearly all these people are employed by the general government, either as soldiers or police or customs officers. The Zona Libre runs along, and here comes a line where duties are to be paid. Once cross the line you escape the payment of duty, and so these people are generally employed to watch this line, or to smuggle. Therefore, the people living along

there are, to a great extent, soldiers, police officers, or employés some way or other of the general government, and they live to a great extent on the accidents of war and revolution. They are a dissatisfied, restless, reckless people. That is the trouble with them. They have no regular employment nor habits of industry.

Q. What is the population of Matamoras?—A. They claim 25,000 population.

Q. Is Matamoras in the free zone?—A. It is the capital, so to speak, of the free zone. It is the third city of commercial importance in the United States of Mexico. It supplies all the country lying east of the Sierra Madre.

Q. What is the condition of the troops at Fort Brown in the matter of discipline?—A. Good; very excellent. This applies to the entire force on the Rio Grande.

Q. Are there more companies there than your own?—A. Yes.

Q. How large a force is stationed there?—A. When I left there were nine companies at Ringgold Barracks, five of the Eighth Cavalry and four of my own regiment.

By Mr. MAISH :

Q. Have you any personal knowledge of any raids made into Texas from Mexico since 1869?—A. Yes, I have. When I say personal knowledge, I mean raids that came within the limits of my jurisdiction as an officer.

Q. Tell us what raids you know of in that way.—A. The first raid that I know of occurred some time in the month of December, 1869, when a party came from Mexico and stole cattle from a man named Strickland, who was a large cattle-owner in the vicinity of Fort Clark on the Las Moras River. They took from him about 600 head of cattle and something like 100 head of horses, and crossed the river with them and took them into Mexico. The case was reported to me. I had it investigated and I found that the cattle was on the other side of the river. An effort was made to get them, but it never succeeded. In that case what is called the *alcalde* there, or what we call here the justice of the peace, I had almost positive evidence was the conspirator. He had a contract for some cattle to be furnished to the Mexican army in the interior, and there is no doubt but that he at least connived at that raid, and at the taking of the cattle into Mexico. I know of three instances of that kind in 1869 and 1870. They were the subject-matter of correspondence, and the letters are still on file, I suppose, in some of the departments. We never succeeded in getting any cattle back, although the matter was made a subject of complaint from the State Department to the central government of Mexico. By the time the orders came back from the central government, the cattle had disappeared with the men. The orders from the government were all well enough, but there was nothing to levy upon (so to speak), and Mr. Strickland has been without remuneration for the loss of his stock from that day to this.

Q. Was Cortina in that country then?—A. No; that was in the upper country.

Q. Do you know whether this particular raid that you speak of was made by Mexicans or by Indians?—A. From the best evidence we could get, both Mexicans and Indians were united in the band. It is a most difficult thing in Mexico to tell where the Indian begins and where the Mexican leaves off, because the Mexican is nothing more than a civilized Indian. I mean that the common Mexicans, the herders, the people who drive teams, the laboring people, are nothing but Indians in a state of civilization.



Q. There are few Castilians there?—A. Very few Castilians. They are generally persons of education—as are some of the Mexicans—but only few.

Q. Do you know what Indians these were?—A. The Mescalero Apaches and the Lipans living up in the mountains west of Piedras Negras on the Mexican side opposite Fort Duncan.

Q. Can you give us with some detail the second raid of that sort which you speak of?—A. The second raid was made some time in the following January from the vicinity of Uvalde, 45 miles southeast of Fort Clark. I think there were 125 head of cattle stolen from a man whose name I cannot remember. They were driven down and crossed the river below Fort Duncan. While we never had any knowledge as to who stole these cattle—whether they were Indians or not—they left bows and arrows along on their trail and the signs would indicate that they were Indians; but we never could trace them farther than to the river-bank. They crossed the river 30 miles below where the first party crossed. I saw the trail myself where they crossed the river, but at that time we had no orders to cross in pursuit.

Q. What about the third one?—A. The third one was a raid some time in the following May, in which a gentleman from Boston, who had a large sheep-ranch there and had just made a shearing, was murdered. His horses and ambulances were stolen and taken across the river. We had no knowledge that these people came from Mexico, but we had evidence that the property taken at the time was carried across the river. They went directly from the ranch to the river-bank and across the river. These are all the raids that I know of on the Upper Rio Grande. We had from time to time alarms through the country of Indians being in from Mexico and stealing horses here and there, but the Indians who came in on these little raiding-parties, stealing two or three horses from this farm and from that farm, would go out into the Pecos country and we could hardly tell whether they were our own Indians or Mexican Indians.

Q. Did these raiders come into Texas from Mexico in armed bodies?—A. I doubt very much whether they did. They cross the river in parties of two and three, go into the country, meet at some given point, and there become armed bodies. Every one living in that country, whether from suspicion of his neighbor or from other causes, goes armed, so that if you see a body of men together on the frontier of Texas it is a foregone conclusion that it is an armed body; even a minister of the gospel, if you meet him out riding, will have a six-shooter hanging by his side, or if he is driving in a carriage he will have his gun standing up in front of him. If a man out there owns nothing else, he owns fire-arms.

Q. Do you know of any other raids?—A. Probably one of the most formidable raids made was in 1875, at the time when Cortina was mayor of the city of Matamoras.

Q. Is that the next one in point of time?—A. I think it is. There were a number of brands of cattle reported stolen. The troops were out. We had also a company of State troops there under Captain McNally, I think in June, 1875. He attacked a party of some eleven out on the old battle-field of Palo Alto, and I think killed nine of them. That was on our side of the river. These people had with them I think about 600 head of stock all told—the cattle belonged to people living as far east as the Nueces River, a short distance from Corpus Christi. All the horses and cattle that they had belonged there. Their bodies were taken into Brownsville and they were identified, with one excep-

tion, as the adherents and partisans of Cortina. Several of them had been officials during his reign at one time or other, in the city of Matamoras—police officers, ward politicians, members of the city council, &c.; one, or perhaps two, were citizens of Brownsville.

Q. Has not Cortina a number of partisans in Texas?—A. I think he has.

Q. He has relations there?—A. Yes; and he also claims the title to a large body of the land lying along the Rio Grande.

Q. Do you remember the names of those citizens of Brownsville that were killed by McNally?—A. No, sir; they were both Mexicans, who had been living at Brownsville. They were known by the citizens of Brownsville as men without visible means of support, but who had been there for some time.

Q. That was not the occasion when McNally followed the raiders to the other side?—A. No. In the month following perhaps, Captain Randlett, of the Eighth Cavalry, followed a party of raiders across the river right above Edenborough. He was joined by Captain McNally, and they both crossed the river, and in an engagement which ensued Randlett's men killed five of the marauders.

Q. Did they recover any cattle?—A. I think the cattle were all returned. I think that the Mexican authorities returned them all.

Q. The authorities showed a disposition on that occasion to return the stolen cattle?—A. The authorities of the central government, so far as I have been able to learn, have never failed to give every case a thorough hearing, but in many cases their efforts have been frustrated through the connivance of some subordinates. As an illustration, I will mention the case of a man named Hamilton, a defaulter from New Jersey, who escaped and went to Matamoras. I had, in connection with the American consul there (Mr. Wilson), orders to do everything in my power to have Hamilton arrested. I went in company with the collector of customs, Colonel Haines, and Mr. Wilson, the consul, to see the commanding officer. He said to me, "If the man is in the town, we will have him. I can get him. There is no use of any extradition proceedings, for if he is here I will have him arrested and turned over to you, and if it is necessary to have a party of cavalry to accomplish it, I will give it to you." He was honest and earnest about it, and he did send out four or five companies of cavalry and had every place where Hamilton was likely to be searched, but without avail. According to Hamilton's own statement, Cortina, for a sum of \$4,000 or \$5,000, had secreted him, and had thus frustrated all the efforts of the officers of the general government. In the mean time, under the Lerdo government, Cortina was arrested, taken to the city of Mexico, incarcerated there, and tried by court-martial, the result of which I do not know, but pending his sentence the Diaz government came into power, and Cortina returned to the frontier, where he was again arrested and sent back to the city of Mexico, where I believe he is still in custody. I speak of these facts to show that the general government appears honest in its efforts. General Diaz told me himself, while he was yet an insurgent in the field, that in case he became President, there was nothing within reason which he would not do to bring about a proper understanding on the frontier, and I know that he is very earnest in that desire to-day.

Q. You have come up to 1875; is that the last raid you know of?—A. That is the last.

Q. Did you ever participate in the pursuit of these raiders into

Mexico?—A. I have participated on several occasions in their pursuit to the river, but never beyond.

Q. What do you think now, under the present circumstances, of the policy of pursuing these raiders into Mexico, taking into consideration the excited state of feeling in Mexico and the fact of Diaz having the reins of government in his hands?—A. I think it were better policy on the part of the two governments if they could each strengthen their lines so as to prevent any illegal crossing. I doubt the wisdom of crossing unless it can be made co-operative on the part of the two governments. Even then it would only kindle more than ever this bad feeling of which I have spoken.

Q. You think that there is danger of a collision?—A. I think so; there always is under such circumstances. Of course, if Mexicans see American troops on Mexican soil, all their prejudices are at once excited.

Q. Do you know whether these pursuits result in the recovery of much property?—A. I think not. General McKenzie once pursued and destroyed considerable property of the Indians in the way of camp and garrison equipage, but I know of little property being recovered.

Q. What is the condition of government on the Texas side immediately along the Rio Grande? Are property and life secure there among the people themselves as they are in well-regulated society?—A. I do not think they are. Life there is attended by all the risks peculiar to a frontier existence.

Q. What is the character of the population?—A. The American people who are living there are to a great extent old soldiers of the Regular Army and of the volunteer forces who have gone there to make homes and make money for themselves. They are an excellent class of population. They are married and have families, and but for the disordered state of affairs that exists there they would do very well and make money.

Q. What proportion of the population along there is Mexican?—A. The Mexican proportion is greater now than it was several years ago in Cameron County. I suppose that 75 per cent. of the population is Mexican. This is only an estimate.

Q. Do these Mexicans have ranches?—A. Yes, sir.

Q. They are cattle-raisers?—A. Yes, sir; those living in Texas all are—*i. e.*, stock-raisers.

Q. Are they naturalized?—A. Yes; they are voters and in many instances they are very excellent citizens; but a great many persons who went up there with a view of raising herds and of farming have become alarmed, some through the loss of friends and property, and others through these repeated outrages, and have become demoralized and have left the country, going to live in the towns.

Q. Those Mexicans whom you speak of as living in Texas, do they sympathize with their Mexican brethren on the other side of the river or are they good loyal American citizens?—A. The average American there is a good citizen.

Q. Loyal to our government?—A. Yes, sir. In some instances, of course, they have relations on the other side and they sympathize with them.

Q. You spoke of the fact that everybody out there carries arms. Is that the condition of society there?—A. Yes, sir.

Q. Is there a great deal of stealing and outlawry among the people themselves on the Texas side of the Rio Grande?—A. No, sir; there is not.

Q. Then what is the reason that people always go armed?—A. They are afraid of Indians or afraid of outrages of some kind, and the carrying of arms is a custom incident to frontier life. People out in that country are polite to each other. You hardly ever hear of a street-fight there, for if a man has a quarrel with his neighbor, he shoots it out and that ends the trouble. Life is not held very sacred.

By Mr. MARSH:

Q. I understood you to say that there had been little or no property recovered by incursions on the part of our troops into Mexico, but I also understood you to say that on the occasion to which you referred, when Captain McNally and Captain Randlett crossed, all the stock which had been stolen at that time was returned?—A. Yes. It was not recovered by them. It was recovered and returned by the Mexican officials.

Q. Did the incursion of Captain McNally and Captain Randlett tend to induce the Mexican authorities to return the property?—A. The property was returned in accordance with an agreement made between the officers of our forces and the officers of the Mexican government on the other side of the river while our forces were yet there.

Q. Would that property have been returned by the Mexican authorities if our troops had not followed the marauders on Mexican soil?—A. That question I am unable to answer. The fight was going on on the opposite bank of the river, and I think during the fight some of the officers of the custom-house on the other side and some of the local militia had joined the marauders. At least, one Mexican custom-house officer was killed in the scrimmage. Then the officials from Camargo, in company with the American consul, came to the battle-field under a flag of truce, and said to Captain McNally and Captain Randlett, "Stay hostilities and return to the opposite side and we will see that the cattle are returned." Under these conditions the troops returned to the Texas side of the river, and in a few days following a large number of the cattle were returned at Rio Grande City.

Q. Have you ever known the Mexican authorities to return stolen property to Texas excepting in cases where the marauders were followed into Mexico by our military forces?—A. I have not; except in cases of theft under the extradition law, but not in the case of any marauding parties. That is the only instance, I believe, where the property was ever returned.

Q. How many head of cattle were returned on that occasion?—A. My recollection is 175 head.

Q. Where were these cattle stolen from?—A. From the vicinity of Corpus Christi.

Q. How far is that from the Rio Grande where they crossed?—A. Nearly 200 miles.

Q. Do you not think that when the Mexican authorities understand that our troops will follow their marauding parties on Mexican soil, it will have the effect of making those authorities return the stolen property and punishing the marauders?—A. It may have that effect upon the local authorities. I doubt whether it would be any incentive to any more prompt action on the part of the officers of the general government.

Q. The officers of the general government had never been in the habit of returning cattle or horses stolen by marauders and run into Mexico, had they?—A. No, sir.

Q. Have they ever shown an ability to do so?—A. I believe that in

this Randlett affair the collector at Camargo was the man who was more instrumental than all others to have the cattle returned.

Q. Have the Mexican Government authorities ever shown a willingness, coupled with ability, to return cattle and horses stolen?—A. No, sir; their ability never has been equaled to their willingness. I think that if they had the power to show the good feeling which they really entertain toward us, they would do so.

Q. Do you know any other way by which the people of Texas can recover their flocks and herds that are stolen by those marauders from Mexico, except by following the marauders into Mexico with our troops?—A. I think it possible to station such a number of troops upon the Rio Grande as to render the crossing of cattle by raiders impossible—that is the only remedy—and also to strengthen the garrisons on the other side of the river, with orders to see that no cattle shall cross except under custom-house regulations.

Q. Have our troops of the regular Army ever succeeded in capturing or in taking on Texas soil one solitary band of those Mexican marauders who were stealing cattle?—A. No, sir; I believe not.

Q. Then, I ask you how many troops it would require to have placed on that border to prevent these marauding parties from the other side?—A. I cannot form an estimate. I should not like to venture on one. Yet the regular troops have caught them after they had crossed the river, or while in the act of crossing. In 1872, Lieutenant Budd, of the Fourth Cavalry, broke up quite a band by following them. He got into the good graces of a colonel of Mexicans on the opposite side of the river, and they co-operated, hunting the marauders on both sides. Budd chased them to the other side of the river and they were caught and hanged.

Q. Do you know how many of them there were?—A. I think there were five altogether. They were well-known outlaws. Captain McNally applied treatment which officers of the regular Army are not allowed to do. He found some suspicious characters, and under torture he made them confess that they were engaged with this party of people from Mexico in stealing cattle for Cortina to load the vessel to take to Havana. The two fellows whom he caught were citizens of Matamoras, who were on this side of the river, or I think he used a decoy to get them over. He caught them in the chaparral, and under torture got their confession and acted upon it, and the fight resulted, as I have stated, in killing the raiders and capturing the cattle. The difficulty attending an officer of the regular Army in a pursuit of the kind is that these people who are found driving the cattle are perhaps armed with a forged paper, stating that the cattle belong to Captain Kennedy or to Captain King or to some other well-known ranchman, and the brand on the cattle will verify their statement. If you overtake them and ask them "whose cattle are these," they will say, "Captain Kennedy's; we are driving them to the fort to sell." A regular Army officer would not have taken the chance of acting on information as Captain McNally did. He attacked them in broad daylight on the prairie, and charged upon them without asking a question, but afterward, when we came to get the testimony of the men who owned the cattle, it was found that they were stolen cattle, yet the men who were killed were provided with papers showing that they were driving these cattle for Captain Kennedy and Captain King. If an officer in the regular Army were to take the chances as McNally did, it is questionable whether the War Department or the people would sustain him. McNally did take the chances, but he told me afterward that even after the fight had commenced he almost



came near giving the thing up lest he might be mistaken. That is the only reason why raiding-parties have not been stopped by regular troops in Texas. I am satisfied that I myself and other officers of the regular Army have talked with men who were driving stolen cattle, but they were always provided with papers to show us that they were engaged in driving the cattle for the owners.

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*Testimony of Lieut. Col. William R. Shafter.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, January 6, 1878.

Examination of Lieut. Col. W. R. SHAFTER.

By the CHAIRMAN :

Question. How many troops have you in your command?—Answer. I have four companies of the Eighth Cavalry, eight companies of the Tenth Infantry, four companies of the Twenty-fourth Infantry, three companies of the Twenty-fifth Infantry, one company of Seminole scouts, and a mounted detachment with two Gatling guns. These troops are distributed at the three posts of San Felipe, Clark, and Duncan.

Q. How many men have you for duty at Fort Clark?—A. There are about 1,400 men that we draw rations for; but I should say that I have an available force of about a thousand men.

Q. What is the strength of your cavalry companies?—A. The companies of the Tenth Cavalry are about 70 men each; they range from 65 to about 75 men; perhaps some are as low as 60; the infantry companies range from 30 to 45; the Seminoles 40.

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COMMITTEE ON MILITARY AFFAIRS,  
Washington, January 7, 1878.

Examination of Lieutenant-Colonel SHAFTER continued.

By the CHAIRMAN :

Question. Please state the number of commissioned officers at your post.—Answer. Eighty-three, I believe, is the exact number of officers who belong there.

Q. Are they all present for duty?—A. No, sir.

Q. How many are present for duty?—A. I think 51 or 52.

Q. How many field-officers are there among them?—A. That large number of officers is occasioned by its being regimental headquarters. There are three field-officers present and two absent; the colonel of my regiment who is commanding the Soldiers' Home here, and the major who is, I believe, absent or sick, live in New York. I have never met either of these gentleman and do not know them at all, although one is colonel and the other major of my own regiment, but recently promoted to it.

Q. How many surgeons have you at your post?—A. I have no surgeons. I have some assistant surgeons. I have five medical officers—two captains and one first lieutenant, and two acting as assistant surgeons, who are employed men.

Q. How many chaplains?—A. One. He is there.

Q. What is his name?—A. Chaplain Lavery. He is regimental chaplain. I am speaking now simply of the post at Fort Clark, not of my whole command. Taking in my whole command, there are three other surgeons.

Q. Employed men or regular officers?—A. Two of them are commissioned officers and the other is an employed man.

Q. How many officers, field, line, and staff, have you in your entire command?—A. I have 25 companies under my command, and there are three officers to a company, making 75 company-officers. There are four field-officers present and two absent, making six field-officers; and there are eight medical officers, I think.

Q. How many adjutants and quartermasters have you?—A. One adjutant and one quartermaster, both regimental. The adjutants and quartermasters at the posts are all detailed officers. Then I have a number of officers who happen to be there on special duty, who make up the whole number that I mentioned. There must be very nearly 100 officers in my command, present and absent—between 90 and 100.

Q. Can you tell us how many officers are absent?—A. Yes; pretty nearly. There are at least 20 of them absent. Eight or ten graduates of the Military Academy have lately joined.

Q. Are those mostly absent detached or are they absent on leave?—A. Some of them are absent on detached service, some are absent sick, and some are on leave. There are not many on leave, except on sick leave. Then there are a number who are permanently absent, who are sick, and will never return, men who have been unable to do duty for a number of years, and some of whom have already passed before a retiring-board, and have been notified that they are never to be required for duty again. These are retired until vacancies occur to have them placed on the retired-list. We get official information from the Adjutant-General's Office that such and such officers have been examined by the board, and have been found unable to perform active service, and that no further reports should be required of them, but that await vacancies on the retired-list. They are to be still borne on the rolls. I think there are some five or six who are in that condition at my post.

Q. How many of the regular staff are on duty in your command?—A. Five, all medical officers.

Q. How many quartermasters?—A. None.

Q. Who performs the duties of quartermaster in your department?—A. At my own post, the regimental quartermaster.

Q. In your command generally?—A. They are all officers detailed to perform those duties.

Q. Does the quartermaster perform the duties both of quartermaster and of commissary?—A. At my post he does not. It is so large, that it would be out of the question for me to do so. At a post of four or five companies, the quartermaster usually does so. At each of the other posts in my command, one officer performs both duties; but at the post at Fort Clark, it is out of the question for one man to do so.

Q. From where do you draw your supplies?—A. We send our requisitions to San Antonio, but our supplies are purchased and shipped directly from points farther north. Our clothing, I think, comes from Philadelphia and our commissary-stores from Saint Louis.

Q. Can you tell what was the smallest number of men in any one company in your command at the last muster?—A. I can come very close to it; I think that Company B, Twenty-sixth Infantry, had 28 men.

Q. Taking out the details from that company, how many men would it usually have present for drill?—A. At my post all the men come out to

drill. I do not let any one stay away. The quartermaster has to stop work, and the commissary has to stop work, and the blacksmith has to close his shop, and the mechanics have to stop work and come to drill. I require every man to appear at drill except the cook and the sick in hospital and one man to watch the barracks. But for ordinary duty that company would report not more than eight or nine men.

W. R. SHAFTER,

*Lieut. Col. Twenty-fourth Infantry, Bvt. Col., U. S. A.*

*Testimony of Lieut. Col. William. R. Shafter.*

COMMITTEE ON MILITARY AFFAIRS,

*Washington, D. C., January 7, 1878.*

Lieut. Col. WILLIAM R. SHAFTER appeared before the committee and was examined as follows:

Mr. BRAGG. What is your rank and command in the United States Army?

Lieutenant-Colonel SHAFTER. Lieutenant-colonel of the Twentey-fourth Regiment of Infantry. My command is the district of the Nueces, the post of Fort Clark, and the Twenty-fourth Regiment of Infantry.

Mr. BRAGG. That is a colored regiment?

Lieutenant-Colonel SHAFTER. It is.

Mr. BRAGG. How long have you been stationed in Texas?

Lieutenant-Colonel SHAFTER. Since the 23d or 24th of June, 1867.

Mr. BRAGG. How many colored regiments, if any, are there upon the Texas border?

Lieutenant-Colonel SHAFTER. There are two others in Texas, the Twenty-fifth Infantry and the Tenth Cavalry. Col. George Andrews commands the Twenty-fifth Infantry, and the Tenth Cavalry is commanded by Colonel Grierson.

Mr. BRAGG. Where is the Tenth Cavalry stationed?

Lieutenant-Colonel SHAFTER. I have five companies of the Tenth Cavalry at Fort Clark now, one company in my district at San Felipe, thirty miles west of Fort Clark, immediately on the Rio Grande; another company at Fort Duncan, fifty miles south of Fort Clark, also on the Rio Grande; another company about 60 miles below Fort Duncan, in camp on the river. The balance are up in General Pope's department.

Mr. BRAGG. What is the character of the inhabitants upon the Texas side of the Rio Grande border; what is their nationality generally?

Lieutenant-Colonel SHAFTER. Well, sir, what we term in Texas the Lower Rio Grande is mostly settled by Mexicans, though I am not so well able to give you a clear answer on that subject, as I have not been stationed down there since the spring of 1868, and there may be a great many people who have come in since then that I do not know. From Eagle Pass north, and until you get to the Mexican settlement just below El Paso, they are nearly all Americans or Germans. On the Lower Rio Grande they are mostly Mexicans.

Mr. BRAGG. Those Mexicans are citizens of the United States, are they not?

Lieutenant-Colonel SHAFTER. Most of them, I suppose.

Mr. BRAGG. Are they connected with the families upon the opposite border of the Rio Grande?

Lieutenant-Colonel SHAFTER. Yes, sir; by blood and by marriage.

Mr. BRAGG. Has the character of the Mexicans, upon the Texas side any distinctive features different from that of the Mexicans upon the other side?

Lieutenant-Colonel SHAFTER. I do not know that it has.

Mr. BRAGG. We have had used quite frequently, in describing the territory upon the opposite side of the Rio Grande, the term *Zona Libre*: tell us, please, exactly what it is, and its width and extent.

Lieutenant-Colonel SHAFTER. Well, sir, I cannot give you a positive answer about that; I have never looked into it; I have not seen the law creating it. I know what I think it is and what I believe it is, but I may be all wrong about it. As I understand, it is a strip of country extending along the whole Rio Grande front of the State of Tamaulipas and a part of Nueva Leon, coming to just above Laredo, which is three leagues (nine miles) in width, and within that territory, which, as I understand, was granted to the people of Tamaulipas for some extraordinary service they rendered the central government in some strait (what service I do not know), all goods are received free of duty, while if they go beyond that line to the interior they pay duty. The effect of it is to bring the trade from our side of the river to the other.

Mr. BRAGG. It is in the interest of commerce?

Lieutenant-Colonel SHAFTER. It is in the interest of Mexican commerce to have it on the other side.

Mr. BRAGG. In the interest of Mexican commerce and adverse to ours?

Lieutenant-Colonel SHAFTER. Yes, sir. Goods paying 40 per cent. could take the chances of *prestimos*; to evade that duty they sell the goods in small quantities and they are smuggled across onto our side of the river. It would take a thousand men for every twenty miles to guard that frontier from this smuggling.

Mr. BRAGG. Then the organization of that territory is adverse to us in two senses: first, it draws trade to the Mexican border instead of the Texan border, and next it facilitates the smuggling of goods in this direction without paying any duty at all?

Lieutenant-Colonel SHAFTER. I understand that to be so. I know the smuggling comes this way.

Mr. BRAGG. How do the raids into Texas during 1877 compare, in frequency, with the raids in previous years?

Lieutenant-Colonel SHAFTER. Well, I have no means of determining exactly, but my opinion is that they have been gradually growing less. At least Indian raids in the part of the country that I have been serving in during the last year are gradually growing less, because we have none from our own Indians; we used to have them from Fort Sill, quite as many as from Mexico; now we have none from there.

Mr. BRAGG. You speak of the raiders as Indians; do you mean by that that there are distinct Indian tribes independent of the Government of Mexico, or are they Mexican Indians, citizens of Mexico?

Lieutenant-Colonel SHAFTER. No, sir, they are American Indians; United States Indians that have been driven over there.

Mr. BRAGG. What are the tribes?

Lieutenant-Colonel SHAFTER. The Lipans, two or three little bands of Apaches, and the Kickapoos that went from Kansas at the commencement of the war, in 1861.

Mr. BRAGG. Are there no raids by the Mexicans?

Lieutenant-Colonel SHAFTER. To my knowledge, no, sir; not on the part of the Rio Grande above Laredo and up as far as our settlements extend in Texas, which is up toward the mouth of the Pecos. From San Felipe and above and as far down as Palafox, is where the Indians

cross over and raid. There is not a white man living from the mouth of the Devil River, or San Felipe, to Presidio Rio Grande (Fort Leaton), a distance of about four hundred miles. The Mexican raids that they talk of, about which I do not know anything, are alleged to have occurred down below McIntosh and about Fort Brown. I understand that they have ceased. Between McIntosh and San Felipe the raids are almost entirely by Indians, American Indians, but who have for a number of years lived in Mexico. In 1867 they lived on the Pecos, on our side of the river, and our troops had several engagements with them, and got pretty badly whipped once. The bands of Apaches have lived on both sides of the Rio Grande for a great many years.

Mr. BRAGG. In what kind of organization do they cross, and how frequently?

Lieutenant-Colonel SHAFTER. There has hardly been a month, certainly not more than two or three months, since I have been there that there have not been stealing-parties in the country in the vicinity of Fort Clark, and so on down about Uvalde, Castroville, and in the inhabited valleys of the Frio Sabinal and Hondo that those streams make.

Mr. BRAGG. What is the size of the parties usually?

Lieutenant-Colonel SHAFTER. All the way from two or three up to thirty or forty. Latterly I have not heard of a party of more than about twenty. I may as well state that those large parties of two or three years ago were as many of them our own Indians as Mexican Indians; that is, they used to go north, and we inferred if they went north that they went up on the plains to Fort Sill; if they went west that they went to Mexico; that is the only way we could distinguish them. But since 1875 all that have been followed have gone into Mexico.

Mr. BRAGG. During 1877 how many people have been murdered or killed on the Texas side, to your knowledge, by those raiding bands?

Lieutenant-Colonel SHAFTER. There have not been a great many. They killed three in November, in the last raid, three or four weeks ago. Whether the men killed were American citizens or not I do not know; they were sheep-herders, and Mexicans. They wounded a young American, and they killed two or three men early in the year, out near Kerrsville. There has been much less killing this year than in any former year. I recollect now one other case, that occurred in April or May, I think. Some cow-men ran on to a party of Indians, took away about thirty-five head of stock from them, and killed one Indian and lost one cow-man; and a boy about nineteen years old was killed by the same party near Castroville, forty miles from San Antonio.

Mr. BRAGG. These cases of killing occurred in an attempt to resist the recapture of stolen cattle?

Lieutenant-Colonel SHAFTER. Only this case of the killing of the cow-man. The others were single men who happened to be in the way, and were killed.

Mr. BRAGG. The object of those raids is robbery?

Lieutenant-Colonel SHAFTER. Simply theft; not to make war.

Mr. BRAGG. In what quantities do they steal; quantities which would indicate that they steal for their own use and for trade?

Lieutenant-Colonel SHAFTER. They steal them in numbers from half a dozen or a dozen up to fifty or sixty. Those are the largest droves of horses that I know of their taking out.

Mr. BRAGG. Which way are they taken; to their own homes or into Mexico?

Lieutenant-Colonel SHAFTER. They are taken to Mexico. They are taken to the camps of these Indians, and afterward are traded or sold



for arms and ammunition, and things of that sort. That part of it, of course, I have never seen, but I have it from guides that I have employed for the purpose of ascertaining what they did with them.

Mr. BRAGG. Have you known, yourself, of any armed band of Mexicans invading our territory?

Lieutenant-Colonel SHAFTEK. Yes, sir.

Mr. BRAGG. Where?

Lieutenant-Colonel SHAFTEK. Just above the mouth of the Devil River. You understand that I did not see them, but officially I do know of it.

Mr. BRAGG. Were they Mexican Indians?

Lieutenant-Colonel SHAFTEK. No, sir; they were Mexican soldiers.

Mr. BRAGG. Irregular soldiers or soldiers of the government?

Lieutenant-Colonel SHAFTEK. They were irregular soldiers, militia, but they were soldiers of the government.

Mr. BRAGG. What did they do?

Lieutenant-Colonel SHAFTEK. They pursued another revolutionary party that they were opposed to, and fought them on the Mexican side of the river from the time when the sun was about an hour high until night. This defeated party crossed the river during the night, came into our country about ten miles, and the other party followed them over, attacked them, killed some of them, took some stock away from them, and recrossed into Mexico.

Mr. BRAGG. It was about the close of the Diaz revolution?

Lieutenant-Colonel SHAFTEK. Yes, sir.

Mr. BRAGG. Was that the circumstance that led to the dispatch from Mr. Evarts to Mr. Foster demanding reparation for the invasion of our soil?

Lieutenant-Colonel SHAFTEK. I do not know.

Mr. BRAGG. This dispatch to which I refer is dispatch No. 8, June 21, 1877.

Lieutenant-Colonel SHAFTEK. That is the case to which I refer. Then, they have been over recently, two parties of one hundred men each, but farther up the river. They were pursuing Indians that had stolen horses in Mexico.

Mr. BRAGG. What Indians?

Lieutenant-Colonel SHAFTEK. Our Indians, undoubtedly from the Fort Stanton reservation.

Mr. BRAGG. When did that take place?

Lieutenant-Colonel SHAFTEK. That occurred in September last. They killed six men and captured six squaws and sixty-seven head of horses, as reported to me.

Mr. BRAGG. Neither of these crossings on to our territory related to anything except the pursuit of Indians?

Lieutenant-Colonel SHAFTEK. Nothing whatever, and did no harm. No one there cared about it. We did care about the first crossing, fighting their battles on our side, but the pursuit of Indians everybody would gladly join them in.

Mr. BRAGG. What troops have the central Mexican Government stationed on our border to enforce neutrality?

Lieutenant-Colonel SHAFTEK. They have two or three hundred opposite Fort Duncan; that is all I know anything about. I understand that they have a larger number ordered down and that more are coming, but I do not know.

Mr. BRAGG. How long have these troops been at Fort Duncan?

Lieutenant-Colonel SHAFTEK. Several months.

Mr. BRAGG. Before or since the Diaz government was organized?

Lieutenant-Colonel SHAFTER. Since; never before, that I know of, have there been any troops on the upper border; they have been down below—at Matamoras and Tamaulipas.

Mr. BRAGG. You say you have been informed that there are other troops below?

Lieutenant-Colonel SHAFTER. Yes, sir; that is what I understand.

Mr. BRAGG. They are all troops representing the Diaz government?

Lieutenant-Colonel SHAFTER. There are no other armed forces in Mexico that I know of.

Mr. BRAGG. Before the organization of the Diaz government, were there any troops stationed on the border by the general government to establish and preserve peace on the border?

Lieutenant-Colonel SHAFTER. No, sir; none that I have heard of in the State of Coahuila.

Mr. BRAGG. What is the effect of that change of policy on the part of the Mexican Government?

Lieutenant-Colonel SHAFTER. I do not see that it has made any material difference. I do not know that they came there for that purpose. I know that they are stationed there.

Mr. BRAGG. What is their conduct?

Lieutenant-Colonel SHAFTER. Good.

Mr. BRAGG. What is their state of discipline?

Lieutenant-Colonel SHAFTER. Mexican regular troops are always in good discipline—all that I have ever seen.

Mr. BRAGG. Who is in command opposite Duncan?

Lieutenant-Colonel SHAFTER. General Falcone, a frontier-man; he commands the whole frontier from Laredo up.

Mr. BRAGG. What is his reputation?

Lieutenant-Colonel SHAFTER. He is an excellent man; he is a ranchero, and resides about thirty miles from there.

Mr. BRAGG. What are his sentiments toward the United States Government, so far as you know?

Lieutenant-Colonel SHAFTER. I have known him for eight or ten years; he has always been very friendly; when he is not fighting he is at his ranch; he is an important man, and always takes a hand in revolutionary movements—sometimes on one side, and sometimes on the other; at present he is for Diaz.

Mr. BRAGG. He is a representative of Diaz, then, on the frontier?

Lieutenant-Colonel SHAFTER. Yes, sir; he is a brigadier-general, and commands the Diaz forces.

Mr. BRAGG. When did the troops of your command first cross the Rio Grande?

Lieutenant-Colonel SHAFTER. Early in 1876; perhaps before that.

Mr. BRAGG. At what point?

Lieutenant-Colonel SHAFTER. The first crossing with any number of men I made myself, above the mouth of the Pecos?

Mr. BRAGG. In the unknown country?

Lieutenant-Colonel SHAFTER. In the unknown country.

Mr. BRAGG. State the time as near as you can.

Lieutenant-Colonel SHAFTER. In June or the very last of May.

Mr. BRAGG. What Indians were you in pursuit of?

Lieutenant-Colonel SHAFTER. I was not in pursuit of any; I was in search of the Lipans.

Mr. BRAGG. Did you find them?

Lieutenant-Colonel SHAFTER. I did.

Mr. BRAGG. Where did you find them?

Lieutenant-Colonel SHAFER. About seven miles from the town of Saragossa, in Mexico.

Mr. BRAGG. How far was that from the crossing?

Lieutenant-Colonel SHAFER. From the point I crossed it was one hundred and some miles; from the Rio Grande it was about forty-five, and opposite Fort Duncan. I first came off westerly for one hundred miles, thinking I would find them at a noted mountain, where they were found the other day, and then I took another start and found them near Saragossa, and on my way back I intercepted another party that had been to Castroville, and got all their horses and camp equipage, but none of the Indians. The captain I sent got everything they had, except what they rode off. They were horses that were foot-sore, owing to their recent ride from Castroville, two hundred miles, so that he had to shoot them.

Mr. BRAGG. What was the result of your finding the Indians at Saragossa?

Lieutenant Colonel SHAFER. As near as I can tell, the result was the killing and capturing nineteen Indians and a hundred and seven head of stock, and the destruction of their village.

Mr. BRAGG. What kind of Indians did you capture; anything but women and children?

Lieutenant-Colonel SHAFER. No, sir; we could not capture anything else; you would have to kill the men.

Mr. BRAGG. Were there any dead left upon the field?

Lieutenant-Colonel SHAFER. Yes, sir.

Mr. BRAGG. When was the next time?

Lieutenant-Colonel SHAFER. Well, we kept it up all along, crossing whenever we had occasion to. We went back in about a week.

Mr. BRAGG. These were not what you call crossing on a fresh trail?

Lieutenant-Colonel SHAFER. No, sir; they were not crossing on a fresh trail at all. I was just over there scouting, and with the full consent of the local Mexican authorities; they said that they could not go, but we might. They had no authority, I suppose, from their government; the revolution was then going on between Lerdo and Diaz, and these were the adherents of Lerdo who said that we could go over. I did it because there was no use in looking for the Indians on our side of the river; they could get across without being caught.

Mr. BRAGG. About how many days do they remain in Texas when they cross?

Lieutenant-Colonel SHAFER. Usually but a very little time, but sometimes they will stay for weeks.

Mr. BRAGG. What is the difficulty in apprehending them while they are there, when they stay any considerable length of time?

Lieutenant-Colonel SHAFER. Well, sir, they come over on foot when they stay any length of time. They get up into the cañons of Devil's River and the heads of those streams where there are no people living, up in the cedar brakes, and ten or fifteen men could stay there for years and not be found, and they lie up there and wait until a favorable opportunity occurs, until the moon gets just right, and then pitch down into one of the valleys, gather up what horses they can get as they go, and keep going until they come to the river. When we hear of them they will be off here in the Frio and other cañons. This will be telegraphed up to me to Fork Clark. Nobody knows where they are going out; they can go anywhere; it is two hundred miles from McIntosh up to the mouth of

the Pecos, and it is as easy for them to strike the river at one place as another, and nobody can tell just where they will go.

Mr. BRAGG. Do I understand you that the feeling of the Mexicans, as evidenced by the population and by the civil authorities upon the Mexican side, is favorable to the pursuit of Indians on Mexican territory, and creates no dissatisfaction?

Lieutenant-Colonel SHAFTER. When you talk with the best people, they will every one of them say that they wish the Indians were away from there; that it makes bad feelings between the Texans and the people of Mexico, and they would be glad if we could get rid of them. At the same time there is a large lawless element there that thrive upon the trade that these Indians make. They can buy a good horse for a bottle of mescal or two or three dollars, and they of course are glad to have the business go on, and would be angry at having us cross. Then, of course, there is the feeling that any nationality would have at having foreign troops on their soil. I have been perfectly friendly with the best men, visit them and go to their towns, and have been just as warmly received immediately after a raid as before.

Mr. BRAGG. The mere question is whether their dignity has not been infringed upon by foreign troops coming upon their soil?

Lieutenant-Colonel SHAFTER. Yes, sir; that is where the pinch comes in.

Mr. BRAGG. Would not that feeling be a good deal alleviated if there were an arrangement between this government and the Government of Mexico for the pursuit of Indians?

Lieutenant-Colonel SHAFTER. I do not think they would mind anything about it if they saw their own troops joining in. We had a case of that kind about ten days ago. My troops joined the Mexican troops. A herd of twenty horses were stolen on Saturday night west of Fort Clark. I told the men I would send troops to the river the next morning, with orders to wait until I heard from General Falcone. I telegraphed General Falcone, and he said he would send a party up there at once; and I sent out a courier with a message to my men not to cross until the Mexicans came there, and not to cross then unless invited. The Mexican troops had 15 miles farther to go, and they did not get there until Wednesday morning, and then it had rained and partly blotted out the trail; but the lieutenant very kindly invited the lieutenant that I sent in command of my men to go over, and he followed the trail all day until about four o'clock, when there came on a tremendous rain, and the trail washed out (the stolen horses were unshod and made a small trail), and he returned, coming through the little town of Newtown, where the Mexican lieutenant invited my men to remain with him and take quarters; but my lieutenant said he would come back on this side, and did so. The Mexican lieutenant said if there was any other place where our people thought they could find them, they would go with them the next morning. That is the first square case of co-operation we have had. Those were a portion of the regular troops under General Falcone. He knows personally as well as any one what the trouble is. He has twice crossed into Texas, in pursuit of stolen horses, when he was not in the army.

The CHAIRMAN. Do you know anything about this affair at San Elizario?

Lieutenant-Colonel SHAFTER. No, sir; only by the papers.

The CHAIRMAN. There have been difficulties there before, have there not?

Lieutenant Colonel SHAFTER. Never that I have heard of.

The CHAIRMAN. I think Presidio County had an uproar last year?

Lieutenant-Colonel SHAFTER. I have never heard of that. In this same connection Mr. Candis was killed; a little earlier, but it is the same fight; only two or three weeks between the two. It is a very quiet place for the frontier; much more so than below.

Mr. BRAGG. In what Mexican State is Saragossa?

Lieutenant-Colonel SHAFTER. In Coahuila.

Mr. BRAGG. Do you know the class of people who have settled in Presidio County, whether they are largely Mexican or not?

Lieutenant-Colonel SHAFTER. If this (indicating on the map) is Presidio County, there are no settlers in it except at Fort Davis and Fort Stockton. San Elizario is in El Paso County. I have not been there; but I understand that they are all Mexicans except a few Americans.

Mr. BRAGG. Citizens of the United States?

Lieutenant-Colonel SHAFTER. I suppose so; they have lived there all their lives.

Mr. BRAGG. Do you know what occasioned the difficulty there?

Lieutenant-Colonel SHAFTER. Only from hearsay—common report. The report is that there has been a feud between Howard and Cardis for a long time in reference to some political trade that they made two or three years ago, in which Howard got the worst of it. Then the locating of the salt-mines, where the Mexicans have always got their salt, was the immediate origin of this trouble.

Mr. BRAGG. Those are salt-springs, are they not?

Lieutenant-Colonel SHAFTER. They are salt-basins where you can go in and shovel up salt by the barrel.

Mr. BRAGG. Those lakes or springs were formerly a common?

Lieutenant-Colonel SHAFTER. So I have understood.

Mr. BRAGG. But latterly they have been located?

Lieutenant-Colonel SHAFTER. Yes, sir.

Mr. BRAGG. By whom?

Lieutenant-Colonel SHAFTER. I understand that it is by a Mr. Johns, of Austin.

Mr. BRAGG. Then the difficulty arises out of the restriction upon the right of the inhabitants there to take salt freely?

Lieutenant-Colonel SHAFTER. Well, I don't know that it grows out of their *right* to take the salt. That is the question in dispute.

Mr. BRAGG. Well, out of their claim?

Lieutenant-Colonel SHAFTER. Yes; a good deal of the difficulty grows out of that claim to the salt. Then there was, besides, the anger of the friends of Mr. Cardis, who was killed by Howard.

Mr. BRAGG. Did the fight have anything of a national or political complexion?

Lieutenant-Colonel SHAFTER. Not between those men.

Mr. BRAGG. I mean the last fight.

Lieutenant-Colonel SHAFTER. No, sir; I do not think it did. It was a lot of Mexicans against a lot of Americans, the Americans being civil officers of Texas.

Mr. BRAGG. You mean Mexicans of Texas?

Lieutenant-Colonel SHAFTER. Undoubtedly many of them were from Texas, but I do not believe that the Mexicans on the other side of the river stood idle on the other side and saw their fathers and brothers in a row on this side and did not help them; and the lieutenant of rangers, in making his report, says that the nine men who killed Howard and the others were men from the other side of the river.

Mr. BRAGG. It was the mob?



Lieutenant Colonel SHAFTER. It was just a mob. I do not think that the Mexican Government had anything to do with it, nor does any one in Texas. At the same time, the whole community had a hand in it. Cardis was a very popular man among the Mexicans, and could get elected to any office he wanted, and Howard had killed him, and was under bonds awaiting his trial; that and the inability of the people to get salt as usual was the cause of the trouble. I am only telling you this as my belief, formed from talking with the people.

Mr. BRAGG. How far is Fort Clark from the river?

Lieutenant-Colonel SHAFTER. Twenty miles in a direct line.

Mr. BRAGG. There is a fort on the river, nearly in a direct line from Fort Clark to the river?

Lieutenant-Colonel SHAFTER. No, sir; there is not. All the posts there are mere open cantonments.

Mr. BRAGG. Do you not have any defensive works at Fort Clark?

Lieutenant-Colonel SHAFTER. No, sir; there are no defensive works at any place on the frontier; merely barracks for soldiers.

Mr. BRAGG. What is your idea of the number of troops that would be necessary to preserve neutrality there, in order to keep up good faith with Mexico, and at the same time protect the rights of our citizens?

Lieutenant-Colonel SHAFTER. It depends upon how you are going to do it.

Mr. BRAGG. I do not mean that we are to keep the soldiers to catch every thief in Texas, but to preserve our relations with Mexico and protect our own people, taking into consideration the extent of our frontier?

Lieutenant-Colonel SHAFTER. Well, if Mexico would make a little exertion herself, I think we have twice as many as we need; but if we have to pursue them across the river, I do not think we have enough.

Mr. BRAGG. All indications now are that Mexico is manifesting some interest in preserving the peace?

Lieutenant-Colonel SHAFTER. The papers state so, but there has been no time within the last five years that two months has passed when they could not have stopped these depredations had they desired to do so.

Mr. BRAGG. I understand you to say that the troops there have cordially co-operated?

Lieutenant-Colonel SHAFTER. They have done so in the one instance, and all the time in the way of talk. I have just heard that the Lipan squaws have gone into the small town of Peotis and that the bucks have gone up to the mountains for another raid next month; and the Mexicans could have taken all those Indians if they wished to, and so they could have done at Sarragossa.

Mr. BRAGG. What amount of property has been recaptured as the result of the several raids that your command have made into Mexico?

Lieutenant-Colonel SHAFTER. About 250 horses and mules since, I think, the 30th of July, the time I have already spoken of. We crossed in June, but we were there two or three weeks before we attacked them.

Mr. BRAGG. Do not the frequent crossings by our troops rather endanger the peaceful relations between the two nations, taking into consideration the inflammable character of the Mexicans?

Lieutenant-Colonel SHAFTER. I do not think that the local authorities are very much incensed at it. I have never been treated with more cordiality at any time than within the last six months by Generals Naranjo and Falcone.

Mr. BRAGG. Then the question is merely one of national dignity?

Lieutenant-Colonel SHAFTER. Yes, sir, I think that is all; and I

do not think that there was any feeling about it at all until the order was issued to go across; that created a considerable ill-feeling.

Mr. BRAGG. Was it not because it appeared to be an assumption on the part of our government of a right which did not belong to us?

Lieutenant-Colonel SHAFTER. That was the claim.

Mr. BRAGG. So long as we were crossing tacitly and by their permission, and not under an order of our government, they apparently acquiesced, did they not?

Lieutenant-Colonel SHAFTER. Yes, sir.

Mr. BRAGG. They only resented it when our government seemed to assume the right?

Lieutenant-Colonel SHAFTER. Well, in those pursuits we carefully avoided going near the towns; we operated only in the country, where Mexicans never go unless some men looking for mines, and my orders directed that if the trail led toward a town they were to stop and return.

Mr. BRAGG. Since that order you have regarded the vicinity of towns as a check upon your advance?

Lieutenant-Colonel SHAFTER. Yes, sir; I have. Although the order does not restrict us in that respect, even under this order I think I should not have entered a town.

Mr. BRAGG. Then am I to understand that the distinction that you make between crossings when you would excite the feelings of the Mexicans and the times when they would assent to it would depend upon whether your pursuit was confined to Indians solely on Indian territory or extended to the country in the vicinity of Mexican towns? If you confined yourself to the pursuit of Indians in Indian territory they acquiesced in it?

Lieutenant-Colonel SHAFTER. They did, but they would not acquiesce, of course, in our going into towns.

Mr. BRAGG. But the order under which you have been acting in 1877 gave you authority to go into towns?

Lieutenant-Colonel SHAFTER. It did not say anything about it.

Mr. BRAGG. It gave you the right to cross?

Lieutenant-Colonel SHAFTER. The order is in plain English.

Mr. BRAGG. I understand the English of the order, but I want to understand what you understood it to mean.

Lieutenant-Colonel SHAFTER. Well, I understood it to mean all that it said.

Mr. BRAGG. To go anywhere?

Lieutenant-Colonel SHAFTER. Yes, sir; I think I could have gone anywhere under that order.

Mr. BRAGG. Now, was it not those general terms of the order that aroused the national feeling of the people of Mexico and put them on the defensive, as they claim?

Lieutenant-Colonel SHAFTER. That is what they say.

Mr. BRAGG. Without that order they made no complaint?

Lieutenant-Colonel SHAFTER. Not to my knowledge.

Mr. BRAGG. Has that order since been revoked?

Lieutenant-Colonel SHAFTER. I have never seen any revocation of it.

Mr. BRAGG. Has it been modified?

Lieutenant-Colonel SHAFTER. It has been modified.

Mr. BRAGG. In what respect?

Lieutenant-Colonel SHAFTER. To the effect that when the Mexican troops are prepared to take up the pursuit, we were to stop, leave it to

them, and report the result in each instance. That was the order of General Ord to me.

Mr. BRAGG. At what time was that modification made?

Lieutenant-Colonel SHAFTER. I cannot tell you exactly, but it was in July or August.

Mr. BRAGG. What effect did that modification have upon the spirit and temper of the people there, so far as you observed?

Lieutenant-Colonel SHAFTER. I do not think it had any. It was not generally known; no one took the pains to publish it, and I do not think the people at large knew of it. The people on the Texas side of the border, however, got the impression that we were ordered to stop pursuing Indians across the river, and they felt very bitterly about it; and the people on the other side of the river had the same impression.

Mr. BRAGG. Where does this feeling of bitterness exist; in San Antonio?

Lieutenant-Colonel SHAFTER. I don't know much about the feeling in San Antonio, as I have only been there occasionally. The bitterness that I speak of is on the part of the men who live on the frontier, and who have been robbed for years.

Mr. BRAGG. What are those people mostly, Mexicans or Americans?

Lieutenant-Colonel SHAFTER. Mostly Americans; some, but very few, Mexicans.

Mr. BRAGG. What is the feeling of the people on this side of the border in regard to the advantages or disadvantages of a war with Mexico?

Lieutenant-Colonel SHAFTER. Well, of course they are poor and ignorant people, most of them, and I don't know that their opinion would have much weight, but I have never yet known a respectable man, a man with a ranch and a family, who was not opposed to a war with Mexico, provided there could be security for them obtained by any other means. I do not think that those people want war. I have not heard them favor it, but I have always heard them talk against it. Of course there are some wild-headed fellows who talk of war and who would do so at any time.

Mr. BRAGG. Are you much troubled with miners or speculators down there?

Lieutenant-Colonel SHAFTER. Not very much. There are no mines on our side, and the mines across the river are in the hands of English and American companies who cannot, I think, be called speculators, for they have been there and working their mines many years. The speculation on our side would be necessarily in the purchase of land, as there is nothing else to speculate in.

Mr. BRAGG. Has the same care and watchfulness been exercised by the troops in your command to prevent Indians from coming into Texas from Mexico, and from leaving Texas with plunder, as has been exercised to get opportunities to follow them into Mexico?

Lieutenant-Colonel SHAFTER. Yes, sir; but it is almost an impossibility to prevent the Indians from coming into Texas. They come in the night, they come dismounted, they come across in this country that is uninhabited, and they continue in that country until they are ready to make their raid, so that you do not even know that they are there unless you have, as I have had in some cases, spies employed about Saragossa, to give notice when the Indians are preparing for a raid. But when they have made the raid and got their herd of stolen horses gathered together, then of course they have to keep together in a body, leave a trail, and you can pursue them.

Mr. BRAGG. But when these Indians pass into the interior of Texas it seems to me that there ought to be ample opportunity for the people to give notice to the troops on the border so as to intercept the raiders on their retreat.

Lieutenant-Colonel SHAFTER. There is time to get notice of Indians being in the country.

Mr. BRAGG. Have any of these raiders been intercepted?

Lieutenant-Colonel SHAFTER. No, sir; none that I have heard of.

Mr. BRAGG. Have any of our infantry or cavalry moved to intercept them.

Lieutenant-Colonel SHAFTER. Always.

Mr. BRAGG. In the interior?

Lieutenant-Colonel SHAFTER. Yes, sir; I have kept troops out for that purpose, but, as I have stated, when these raiders are a hundred miles back from the river they can take any one of several courses to get out. They can strike the river at almost any point for 200 miles without having a much greater distance to travel by one course than by another, and the difficulty is to tell what course they are going to take. Then they never stop, but keep right on, and they can travel 125 miles in thirty-six hours by running their horses, until they get across the river. They do not have to go more than 120 miles on the other side to get to their homes. Since I have been in Texas these raiders have been struck two or three times by little parties that have happened to come on them, but as a general thing they get away.

Mr. BRAGG. Then the difficulties that we have to complain of in Texas are caused by the Indians, and not by the Mexicans?

Lieutenant-Colonel SHAFTER. Yes, sir; all along the frontier in my district that is true, except that there are a few thieves that infest the border and come over and steal cattle and horses in a small way. The people that come over and steal large herds are Indians, and it is the Indians that always have stolen the large herds of horses. There may be a few Mexicans who have gone to live with the Indians, or who are thieves on their own account, but the principal part of the raiding population is Indian.

Mr. BRAGG. Then the war we make upon them ought not to disturb the peaceful relations existing between our government and Mexico?

Lieutenant-Colonel SHAFTER. It ought not to do, so but it may if we continue to pursue raiders into Mexico and the Mexican Government attempts to execute its order to repel force by force.

Mr. BRAGG. I notice in a letter of yours, addressed to General Ord, dated August 18, 1877, this peculiar expression: "I hope soon to get another chance to cross, and have no doubt it will soon occur, either by Indians or Mexicans." That would seem to imply that you were watching for an opportunity to cross.

Lieutenant-Colonel SHAFTER. It may appear so, but that was not the intention. I was very anxious to get after the thieves. I was intrusted with a very large command, more than four times that to which I am entitled by my rank—I had the command of two colouels—and I was naturally anxious to make some good use of it.

Mr. BRAGG. But why should your desire crop out so prominently to get an opportunity for the troops to cross into Mexico instead of a desire to keep the raiders out of Texas?

Lieutenant-Colonel SHAFTER. The expression used in that letter may have been an unfortunate one, but my real intention was as I have stated it.

Mr. BRAGG. This does certainly, upon its face, give the impression

that you had a latent disposition to cross the border on the first pretext.

Lieutenant Colonel SHAFTER. Well, I was very anxious to catch the thieves, but I think all my letters will show that I had no desire at any time to provoke a conflict with Mexican citizens or soldiers.

Mr. BRAGG. You wanted to catch the thieves, but why should you hope for an opportunity which would bring the thieves into Texas so that you could follow them back into Mexico?

Lieutenant-Colonel SHAFTER. I do not think that is a fair construction of my language. I know that that was not my intention. As I have said I had a large command, and I did not want to be lying there idle with such a command, or to have General Ord think that I was not attending to my duty.

Mr. BRAGG. It was an honorable desire on your part to achieve distinction?

Lieutenant-Colonel SHAFTER. It was a desire to do my duty, and I knew that to catch the raiders we should have to cross.

Mr. BRAGG. About how many horses and cattle have been stolen in your territory during the last year by Indians?

Lieutenant-Colonel SHAFTER. It is out of the question for me to tell you how many. I have never kept any record of the number. Every few days reports come in that cattle have been stolen, twenty, or thirty, or forty head, or some such number. The general belief is that the cattle-stealing immediately upon the border is done by Mexicans, because in only one instance have we ever found any number of cattle in the Indian camps. That one instance occurred last winter. A large lot of horses were taken from near Fort Clark and a large lot of cattle were gathered up by the Indians just before they crossed into Mexico. I sent an officer in pursuit, who followed them into the mountain country of Mexico; the Indians got away, but some broken-down horses and some of the beef-cattle were found in their camp.

Mr. BRAGG. Is it not a fact that sometimes you find people engaged in driving stolen cattle, and having forged papers purporting to come from the owners of the cattle, and also forged brands?

Lieutenant-Colonel SHAFTER. That was a very common occurrence. They used to gather up herds of cattle and drive them up to Kansas and Colorado, and they would generally contrive to get into the herds a great many cattle that did not belong to them. That was done by Americans who were taking up Texas cattle for sale.

Mr. BRAGG. Is not that one of the causes of the great loss of cattle of which the Texas people complain?

Lieutenant-Colonel SHAFTER. I do not think it is. In such cases they know where the cattle have gone to and who have got them. The men take them off without authority, but they cannot go out of the State without being inspected and the brands are recorded; but the difficulty with the owners is that the fellows who would be responsible for them either fail or run away. There have been great losses of that kind, but I do not think the Texans complain of those thefts except among themselves. Such occurrences do give rise to a great many suits, quarrels, and shooting affrays among the people themselves.

Mr. BRAGG. How large a police force, either military or any other kind, does the State of Texas keep upon its frontier for the protection of its citizens?

Lieutenant-Colonel SHAFTER. I understand that they have four small companies, though I have never seen but one company. They are a sheriff's posse. I understand from the officer in command of them that



each man is sworn the same as the sheriff of the county, and that he has the same power to make arrests. A great many criminals have fled to Western Texas, and the sheriff might go up there to make an arrest and call upon the people to assist him in vain, for it only costs \$10 to refuse, while if they did assist the sheriff to catch one of these desperate men he or his friends would probably come back and kill them off, one at a time, afterward.

Mr. BRAGG. How large is that battalion of Texas Rangers?

Lieutenant-Colonel SHAFTER. I cannot tell you.

Mr. BRAGG. Are they stationed permanently at one place?

Lieutenant-Colonel SHAFTER. They have camps, and they move from place to place.

Mr. BRAGG. Are they efficient?

Lieutenant-Colonel SHAFTER. They are.

Mr. BRAGG. Do they succeed in capturing the thieves (raiders)?

Lieutenant-Colonel SHAFTER. There is a camp about 50 miles from me. Those particular rangers have never caught but one band that I know of. A lot of Indians came in last spring and stole a number of horses, and these rangers followed them up until the thieves stopped at a certain spring which was unknown to them up to that time, and there the rangers ran in on them and caught the horses.

Mr. BRAGG. Were those our Indians or Mexican Indians?

Lieutenant-Colonel SHAFTER. They were these same Lipans. There are no Indians in Mexico. The Mexican population is more or less of Indian blood, but they have no regular Mexican Indians that are on the frontier or that disturb it.

Mr. BRAGG. Then when you use the term Indian in your testimony here you mean Indians who have left the United States and gone into Mexico up in that unknown region?

Lieutenant-Colonel SHAFTER. Yes, sir; Indians that have been driven over there. The Apaches have lived on the river for years, but they are a tribe of North American Indians.

Mr. BRAGG. What are the Indians on the Stanton reservation?

Lieutenant-Colonel SHAFTER. They are Apaches also.

Mr. BRAGG. I think you stated that, in one instance at least, the thieves came from the Stanton reservation?

Lieutenant-Colonel SHAFTER. Up opposite Chihuahua there is nothing to steal on our side, and the country is tolerably well settled on the Mexican side, and it has been occasionally the case that parties of Indians supposed to be from the Stanton reservation have come down and stolen horses in Mexico.

Mr. BRAGG. In your judgment, would not the removal of those Apaches from the Stanton reservation have a tendency to remove the difficulties that exist on the border?

Lieutenant-Colonel SHAFTER. I don't know about that. The people of Chihuahua and its governor have always been anxious for the troops of both nations to operate together. In 1872 Governor Terassas made a strong appeal, and an arrangement was made between himself and General Hatch, so far as they could make it, to that effect, but I think that our government insisted on the right to cross the river below as well as above, and the reply of the Mexican minister of state was that it would not be advisable, on account of the temper of the Mexican Congress at that time, to present the subject to them.

Mr. BRAGG. Do you know an officer of the Texas Rangers called Captain or Lieutenant Hall?

Lieutenant-Colonel SHAFTER. I have met him. I think he is stationed

down near Ringgold Barracks. He is in command of a company of twenty or thirty men.

Mr. BRAGG. Do you know anything of his making a public declaration to the Mexican officials during the fall of 1877 in reference to the organization of troops?

Lieutenant-Colonel SHAFTER. No, sir; nothing whatever. That occurred, I have understood, at Ringgold Barracks, but I do not know anything about it.

Mr. MARSH. When did your command make the first raid across the river into Mexico?

Lieutenant-Colonel SHAFTER. In May, 1876.

Mr. MARSH. When did your command, or any portion of it, make the second raid into Mexico?

Lieutenant-Colonel SHAFTER. Immediately after, in June. We went over either the last of May or the 1st or 2d of June, and we were gone fifteen or twenty days, but that expedition was fruitless; we did not find any of the Indians.

Mr. MARSH. On that first expedition did you recover any stock that had been stolen from Texas?

Lieutenant-Colonel SHAFTER. No, sir.

Mr. MARSH. On the second trip did you recover any stock?

Lieutenant-Colonel SHAFTER. We did; 107 head of horses and mules.

Mr. MARSH. When did your command, or any portion of it, make the third raid?

Lieutenant-Colonel SHAFTER. The day after I returned, about the 4th or 5th of August, I started 100 men back again under one of my captains, hoping to find another camp that the captive squaws had told us of. So far as finding the camp was concerned, that expedition was unsuccessful; but as they were returning, coming up the Rio Grande, they came upon the trail of a party of Indians that had been pursued by Lieutenant Boyd from Castroville to within about fifteen miles of the Rio Grande. There the trail was washed out by a rain, but Captain Lebo struck their trail on the other side and followed it, and the next morning struck their camp and recovered all the horses they did not ride off or kill.

Mr. MARSH. When did your command make the fourth raid into Mexico?

Lieutenant-Colonel SHAFTER. I won't be positive about it, because a little party may have gone over between times, but the next large expedition that I can recall just now, without looking at the orders, was the one made in January, 1877. On the night of the 30th of December, 1876, 40 cow-ponies, with a few mares, enough to make about 60, were stolen from a man a few miles west of Fort Clark and driven to the Rio Grande, and at the river a large lot of cattle were gathered up. I started an officer after the thieves, with four companies; he crossed on their trail and followed them into Mexico for about eight or ten days, but, unfortunately for him, he didn't have any scouts out in front, and so one day, about three o'clock in the afternoon, he went into camp with the Indian camp just about a mile and a half from him, around a hill; the Indians discovered him and thought, so they said afterward, that he was going to attack them, and ran, but, seeing they were not pursued, they came back in the night and got all their camp-equipage, leaving a few of the horses that had been stolen and the beef of 60 or 80 head of the cattle, that they had been drying.

Mr. MARSH. When did your command make the fifth raid?

Lieutenant-Colonel SHAFTER. I think that the next crossing of any

importance was in September, 1877, when Lieutenant Bullis with about 100 men crossed the Rio Grande and attacked and broke up an Indian camp and got a few horses, ten or fifteen; the Indians had been warned that he was coming, so that it was simply a stern-chase.

Mr. MARSH. When was the next raid?

Lieutenant-Colonel SHAFTER. I sent Mr. Bullis up the country scouting, and he crossed above the mouth of the Pecos and struck the trail of some Indians that had just stolen horses at San Felipe, and followed them up, overtaking them on the Texas side of the river, but it was in the cañon of the river, and they were above him and were too many for him, but as it was nearly dark he was able to get out of the cañon and cross again. As soon as I heard from him I stopped him and sent up three companies under Colonel Young, with orders to follow up the trail of the Indians. He did so; he followed them north, then west, then south into Mexico, and after some days he struck a little war party of the same tribe of Indians, killing two and taking all their horses. The next crossing was made by Lieutenant Ward, about fifteen days ago, in obedience to my orders to go across if the Mexican officer invited him.

Mr. MARSH. Have the citizens of Texas made application to the Mexican authorities to return stolen property?

Lieutenant-Colonel SHAFTER. Whenever they can find it near the border they do, but Americans are afraid to go over into those little Mexican towns in the interior. They would not be afraid to go over in Piedras Negras, or into Saragossa which is a large town, but to go there would involve 60 or 70 miles' travel, or maybe 100, and then they have no means of finding out just where the stolen stock is.

Mr. MARSH. Have the civil authorities of Mexico shown any disposition to restore stolen property that has been stolen from Texas?

Lieutenant-Colonel SHAFTER. Yes, sir. Some time last spring a body of Lipans and Mescaleros crossed the river about 60 miles below Fort Duncan, between there and McIntosh, and gathered up 50 or 60 horses, drove them up above Saragossa and there divided them, the Apaches taking theirs up into the mountains. The owner was a Mexican living in one of the little towns on the Mexican side, but had ranches on both sides of the river. He went to the authorities of Saragossa, and they sent out and made the Lipans come in and deliver up their share of the horses.

Mr. MARSH. That stolen stock was the property of the citizens of Mexico?

Lieutenant-Colonel SHAFTER. Yes, sir. The other instance was this: At the same time that this large herd of cattle was stolen, in December, there was another herd taken, undoubtedly by Mexicans; as they passed down near Saragossa they were picked up by the citizen patrol and brought into Saragossa, and all that were claimed were brought to Piedras Negras, and were turned over to the civil authorities on our side of the river. There were about 22 head.

Mr. MARSH. Those are the only instances you have known of efforts being made by the civil authorities of Mexico to return stolen property?

Lieutenant-Colonel SHAFTER. Those are the only instances. I do not think that our civil authorities, either, would take any pains to return property, but if the owner himself would come and find his property and go before the proper authorities he could recover it.

Mr. MARSH. Why do not the citizens of Texas go over and complain to the proper Mexican authorities?

Lieutenant-Colonel SHAFTER. They say that they are afraid to do so

Then, again, there are so many restrictions, so many difficulties in the way. They would have to prove the identity of the cattle, and then they would have to pay so much for fees that they say it would not pay, but be cheaper to lose the cattle. I only know what I have heard people say on that subject.

Mr. BRAGG. They think it is cheaper to send Uncle Sam?

Lieutenant-Colonel SHAFTER. It is, undoubtedly, for them.

Mr. MARSH. Has the character of your raids into Mexico been different since the order of the Secretary of War to cross?

Lieutenant-Colonel SHAFTER. Not at all. Our expeditions have been of the same character as before, and for the same purpose.

Mr. MARSH. You have taken as much precaution since the issuance of that order as before?

Lieutenant-Colonel SHAFTER. Yes, sir; I have taken even greater precaution.

Mr. MARSH. Do you know of any other way by which property stolen from this side can be recovered except by our military forces?

Lieutenant-Colonel SHAFTER. No, sir; as things stand now, I do not think that it can be got except by going over there and recapturing it and bringing it back.

Mr. MARSH. You think there is a lack on the part of the Mexican authorities of either the disposition or ability to return stolen property?

Lieutenant-Colonel SHAFTER. It is all in their indisposition. If all the people of Mexico along the frontier were desirous of returning such property they could do it; but whether the central government of itself could do it, I do not know. Certainly, however, there has been more strength shown by the present Mexican Government, within the last three or four months, than any other that I have known. They have displayed more power and carried out more orders that would naturally be obnoxious to their own people than I have ever known the Mexican Government to do before.

Mr. MARSH. Orders obnoxious to their own people, but in the interest of good order?

Lieutenant-Colonel SHAFTER. Yes, sir.

Mr. MARSH. Is the crossing of our troops into Mexican territory calculated to prevent these thieving raids from Mexico?

Lieutenant-Colonel SHAFTER. I think so; but those people over there have got to live, and to live they have got to steal, and they can't steal at home, so they have to come over to where they can steal. Those Indians cannot steal in Mexico, and they have no other means of support.

Mr. MARSH. You speak of the present Mexican Government as evincing a stronger disposition than usual to maintain peace on the border?

Lieutenant-Colonel SHAFTER. I say that they have displayed more strength on the border than any Mexican Government I have ever known before. They have issued and carried out orders which were undoubtedly obnoxious to their own people on the frontier—as, for instance, in the case of returning those citizens at Brownsville.

Mr. MARSH. That condition of things has been brought about quite recently?

Lieutenant-Colonel SHAFTER. Yes, sir; within the last four or five months.

Mr. MARSH. Since the issue of the order to cross?

Lieutenant-Colonel SHAFTER. Yes, sir.

Mr. MARSH. Do you think that the issuing of that order from our War Department has had any effect upon the authorities upon the

other side and spurred them up to greater exertion to preserve the peace ?

Lieutenant-Colonel SHAFTER. The Mexican authorities when you talked with them have always said that they were very anxious to stop thieving, and that they would do all they could to stop it; that they were in so much trouble at home that they had no time to look after Indians. There have been several revolutions in Mexico within the last six or eight years, and the authorities have always said that they had not the means to stop these raids.

Mr. MARSH. Are they not a people who are very profuse in their professions ?

Lieutenant-Colonel SHAFTER. Yes, sir.

Mr. MARSH. Much more ready to make professions than to carry them out ?

Lieutenant-Colonel SHAFTER. Well, they have not carried them out. For myself, I am rather friendly toward those people. I am inclined to think that the Mexicans from the interior who have no local interests on the frontier would be disposed to act fairly if they could, but the trouble is they have not had the power heretofore, and I think that even now Lerdo has as many adherents, or perhaps more, along the frontier than Diaz.

Mr. MARSH. Yet you think there has been more strength displayed by the Diaz Government than any former Government of Mexico ?

Lieutenant-Colonel SHAFTER. Yes, sir. Perhaps one cause that brought the troops to the frontier was the fact that about the last of the fighting between Lerdo and Diaz took place on the frontier. That fact and the issuing of the order to cross were probably the reasons.

Mr. MARSH. These troops that you speak of are troops from the interior of Mexico ?

Lieutenant-Colonel SHAFTER. Yes, sir; but their general is a frontier man. He is also a very excellent man.

Mr. MARSH. What time did these regular Mexican troops arrive at Eagle Pass ?

Lieutenant-Colonel SHAFTER. Well, sir, I cannot give you the date.

Mr. MARSH. I understood you to say that it was three or four months ago.

Lieutenant Colonel SHAFTER. Yes, sir; perhaps longer ago than that.

Mr. MARSH. Have you any means of forming an opinion as to why the Mexican Government during the last three or four months has exhibited more ability to preserve order on the frontier than at any previous time ?

Lieutenant-Colonel SHAFTER. I know what is said by the Mexicans generally. It is claimed that those troops came to the frontier in the interest of good order, and to preserve peaceful relations between the two nations, but it is also said that they came there to repel force by force in obedience to an order of Diaz, issued last summer.

Mr. MARSH. Prior to three or four months ago, I understand you to say, there were no regular Mexican troops on the frontier ?

Lieutenant-Colonel SHAFTER. Occasionally during a revolution or something of that sort they have been on the frontier, but none have been stationed there in time of peace.

Mr. MARSH. Then prior to the last three or four months there have been no regular Mexican troops stationed on the border for the purpose of maintaining peaceful relations between the two countries ?

Lieutenant-Colonel SHAFTER. No, sir; none. They may have been there longer ago than three or four months.



Mr. MARSH. Are there any other regular Mexican troops along the river anywhere opposite to your department ?

Lieutenant-Colonel SHAFTER. No, sir. There were until recently about 300 cavalry in Saragossa, but I understand they have gone into the interior.

Mr. MARSH. How far from Saragossa is Eagle Pass ?

Lieutenant-Colonel SHAFTER. Forty miles.

Mr. MARSH. How far down the river does your district extend ?

Lieutenant-Colonel SHAFTER. The exact point on the river has not been indicated. My district includes the three posts of San Felipe, Fort Clark, and Fort Duncan, and I would extend as far down as Laredo if necessary. The district of the Rio Grande commences at Laredo and goes on down, but the exact limit has not been designated.

Mr. MARSH. Have you any means of stating approximately the number of cattle and horses that have been stolen and run out through your district during the last six or eight years ?

Lieutenant-Colonel SHAFTER. No, sir ; it would be the merest guess if I undertook to state.

Mr. MARSH. Does the number reach up into the thousands ?

Lieutenant-Colonel SHAFTER. I have no doubt that the number of horses stolen does run into the thousands.

Mr. MARSH. And on only two occasions have you known of the civil authorities of Mexico returning any of the property that was stolen ?

Lieutenant-Colonel SHAFTER. Only on two occasions : one where a Mexican citizen had suffered the loss, and the other where American citizens had lost cattle.

Mr. MARSH. State how the Lipan Indians were compelled to deliver up those horses belonging to that Mexican citizen ; was it by the authority of the government or by the military force ?

Lieutenant-Colonel SHAFTER. I can only tell you what was reported to me, that was that the alcalde of the town of Saragossa sent out to the camp and directed them to come in, which they did. He then told them to give up the horses. They said they had got them in Texas. He said that did not make any difference, that the property belonged to this Mexican and they must give them up, and the Indians did give them up, but said that if a man claimed Mexican protection he must keep his property on that side of the river, because they could not distinguish it upon the other side.

Mr. MARSH. From your knowledge of the condition of things across the river, could the civil authorities of Mexico, if they made the effort, compel the Indians to restore the property stolen from Texas ?

Lieutenant-Colonel SHAFTER. Of course they could ; because, of those four bands of Indians, leaving out the Kickapoos, there are not altogether more than 150 or perhaps 200 men.

Mr. MARSH. Then you think that if the civil authorities would make the effort they could stop this thieving ?

Lieutenant-Colonel SHAFTER. Yes, sir. These bands of Indians come in month after month and encamp within fifteen or twenty miles of the Mexican towns, or even closer, and then come into town and trade off the horses that they have stolen. These camps could be taken by the Mexican authorities at any time if they desired to do so.

Mr. MARSH. This property stolen from Texas is actually traded, then, in the Mexican towns ?

Lieutenant-Colonel SHAFTER. We supposed so ; certainly a great deal is traded off there ; that is the way they live.

Mr. MARSH. And you think there would be no difficulty on the part of the civil authorities breaking up the thieving at any time?

Lieutenant-Colonel SHAFTER. The civil authorities alone are hardly strong enough. If the public sentiment was in favor of it along the frontier they could do it easily, but the parties are so divided there that I doubt whether the civil authorities can do it now.

Mr. MARSH. Then you think the difficulty in the way of the civil authorities breaking up this stealing and returning the property grows out of the fact that the public sentiment of the Mexicans along the border is averse to it?

Lieutenant-Colonel SHAFTER. Yes, sir; not the whole public sentiment, because, as I said before, the good, respectable Mexicans are opposed to it, and will tell you how much they regret it, but that element is unable to control.

The CHAIRMAN. I understood you to say that these raids were all made by Indians, most of whom had once been American Indians and had been driven over into this unknown region, into Mexico.

Lieutenant-Colonel SHAFTER. Yes, sir; their headquarter and camping grounds when we first occupied Western Texas, after the war of the rebellion, were on the Pecos and up the Rio Grande.

The CHAIRMAN. They steal horses and cattle and take them back into that region of Mexico, and you say it is reported that they sell them to the Mexicans?

Lieutenant-Colonel SHAFTER. It is just as well known as can be that they do it.

The CHAIRMAN. That is done on both sides of the river, is it not?

Lieutenant-Colonel SHAFTER. No, sir.

The CHAIRMAN. Raiding parties do go from this side into Mexico?

Lieutenant-Colonel SHAFTER. Yes, sir; up in Chihuahua.

The CHAIRMAN. Have the Mexicans any more control over their wild Indians than we have over ours?

Lieutenant-Colonel SHAFTER. I think they have just about the same chance to exercise control over them that we have over those that are on reservations.

The CHAIRMAN. Do you know of any instance where the property has been traced by our authorities and where the Mexican authorities had declined to give it up?

Lieutenant-Colonel SHAFTER. Men have complained to me a great many times that they had found their property, but could not get it. I am not able now to state an instance and give the man's name, because they were generally cases where a single horse or some small number of horses were stolen. I believe, however, that I can give you one instance. About 1872, Mr. Strickland lost about one hundred head of cattle by Mexican thieves. They crossed above San Felipe and turned and went down to the city of Cundulia, a distance of from one hundred and fifty to two hundred miles. General Mackenzie pursued them as far as he thought it prudent to go with one hundred men, and then returned, but Mr. Strickland, who was a very determined man, said he would go on. He went to Saragossa, where he got three or four men to go with him, and they went down to Cundulia and attempted to recover the stock, and he did get a few of the cattle, but he had to give bonds and go back to get proof of his ownership of the cattle, and on the way back he was drowned.

The CHAIRMAN. They required him to make proof of his brand?

Lieutenant-Colonel SHAFTER. They required additional proofs of

ownership beyond the brand, and he was going back for it when he was drowned.

The CHAIRMAN. Proof that would be required, I suppose, on either side?

Lieutenant-Colonel SHAFTER. Undoubtedly, but there can be so many obstacles thrown in the way of the claimant as to defeat a man entirely.

The CHAIRMAN. Do you know of any instance where the Mexican authorities have thrown unnecessary obstacles in the way of people trying to get their cattle back?

Lieutenant-Colonel SHAFTER. I do not know that I can state an instance. Our people very rarely go over after their property. They say that they cannot get it, and that it is useless to go over there; that it is money thrown away.

The CHAIRMAN. But you do not know of any instances of their trying and having unnecessary obstacles placed in their way?

Lieutenant-Colonel SHAFTER. There is no instance that I recall just now.

The CHAIRMAN. Are there not parties on this side of the river, American<sup>s</sup> Mexicans so to speak, who assist those Indians in their thefts?

Lieutenant-Colonel SHAFTER. I do not believe there are.

The CHAIRMAN. I understood you to state that the Mexican troops had come to the frontier for the purpose of repelling force by force?

Lieutenant-Colonel SHAFTER. That was the general rumor.

The CHAIRMAN. You have stated that our troops have pursued raiders into Mexico, and that the Mexican troops had joined ours and helped them to recover stolen property?

Lieutenant Colonel SHAFTER. Yes, sir; in one instance, two or three weeks ago.

The CHAIRMAN. Would not that be pretty conclusive evidence that those troops did come there for the purpose of preserving peace upon the border?

Lieutenant-Colonel SHAFTER. It undoubtedly would so far as that single instance goes.

The CHAIRMAN. Do you know of any instance that, in your opinion, would justify any other conclusion that they did come there for the purpose of keeping peace upon the border?

Lieutenant-Colonel SHAFTER. I do not know that there is. They have quietly remained in the town where they have been located, doing nothing one way or the other.

The CHAIRMAN. Have you had any conference with their officers since they arrived there?

Lieutenant-Colonel SHAFTER. Yes, sir.

The CHAIRMAN. Judging from that conference, what is your conclusion?

Lieutenant-Colonel SHAFTER. The Mexican officers have expressed to me at all times a strong desire to stop the depredations that were causing this trouble and hard feeling on our side of the river, and in fact on the Mexican side too; but, at the same time, while they talk in this way, these Indians are encamped near the towns where they could have controlled them at one time.

The CHAIRMAN. How near to the soldiers were the Indians encamped?

Lieutenant-Colonel SHAFTER. When they were talking last in this way they were about five miles off. When they were attacked by our troops they ran right into the town; we did not pursue them.

The CHAIRMAN. Did you notify the Mexican troops?

Lieutenant-Colonel SHAFTER. No, sir.

The CHAIRMAN. Did you ask the assistance of the Mexican troops?

Lieutenant-Colonel SHAFTER. No, sir; not upon that occasion.

The CHAIRMAN. Did you inform the Mexicans that these people had stolen the property upon our side of the river, and ask them to aid you in getting it back?

Lieutenant-Colonel SHAFTER. No, sir; not at that time. At other times I have done so; but on that particular occasion they were not notified at the time of the attack, nor immediately afterward.

The CHAIRMAN. Have they, in any instance where you have asked their co-operation or assistance to get back the property of American citizens, refused to give it?

Lieutenant-Colonel SHAFTER. No, sir; they have never refused.

The CHAIRMAN. On the other hand, in every instance where you have made such a request, have they joined you in getting back stolen property?

Lieutenant-Colonel SHAFTER. They have never been asked while our troops were on the other side of the river. The only times they have been asked to co-operate were when we had notice of raiding parties from Mexico and found out where they had crossed back into Mexico. In that case the commanding officer of the Mexican troops at Piedras Negras has been asked to send his troops to take the trail, and he has invariably done so; but at the same time nothing has resulted from it; the action has been so tardy, and has taken so much time, that the pursuit has been fruitless.

The CHAIRMAN. During what time has that co-operation been given?

Lieutenant-Colonel SHAFTER. I think it has been within the last four months.

The CHAIRMAN. Then, as I understand you, the troops of Diaz have in every instance in which you have requested it shown a willingness to assist in recovering property belonging to Americans claimed to have been taken by raiders from Mexico?

Lieutenant-Colonel SHAFTER. Yes, sir; they have.

The CHAIRMAN. What was the date of the issue of the order to follow raiders into Mexico?

Lieutenant-Colonel SHAFTER. I believe it was in June last.

The CHAIRMAN. Who signed that order that was given to you?

Lieutenant-Colonel SHAFTER. It came in the regular manner in which all orders do; it was signed by the Assistant Adjutant-General of the department, I should say, without having looked at it particularly.

The CHAIRMAN. Was it in the form of an order at all?

Lieutenant-Colonel SHAFTER. I don't think it had a number to it as a general order has. It was in a letter of instructions.

The CHAIRMAN. Was it an instruction from the War Department?

Lieutenant-Colonel SHAFTER. I understand it to have been an order from the President.

The CHAIRMAN. Directed to you?

Lieutenant-Colonel SHAFTER. The order I received was directed to me. The order was directed to all the commanding-officers at the posts.

The CHAIRMAN. Was this order issued upon your report?

Lieutenant-Colonel SHAFTER. The letter of instruction so states, I believe—upon mine, in addition to other reports.

The CHAIRMAN. Had you made a report recommending that such an order be issued?

Lieutenant-Colonel SHAFTER. I had in a report to General Ord stated my views on the subject of hunting Indians, saying that I did not be-

lieve we could do it successfully if we were obliged to stop at the Rio Grande.

The CHAIRMAN. Had you or any of your command crossed after raiders into Mexico prior to the 1st of June, 1877?

Lieutenant-Colonel SHAFTER. Yes, sir; a number of times.

The CHAIRMAN. Without any orders?

Lieutenant-Colonel SHAFTER. Without any orders, except an understanding with the local military authorities on the other side. There had been a pretty bad raid, and I went over from Fort Duncan and talked with the commanding officer on the other side, and asked him if he would not go up on his side of the river while I would go up on mine, and between us we would catch the raiders, and he promised to do it; but the revolution kept on, and he was occupied in other ways and did not go. I then asked him what objection there would be to my crossing, and he said it was all right so far as he was concerned, and that he would be very glad to have me go; so I crossed, giving an order to avoid coming in conflict with Mexicans or going into Mexican towns, and in all this Indian chasing, with the exception of going down to Saragossa, in doing which we did not go nearer to the Mexicans than where we struck the Indians, that order has been observed, and we have pursued the Indians in this unexplored country which I have already described.

The CHAIRMAN. Was there any trouble whatever about your crossing prior to the issuing of this order?

Lieutenant-Colonel SHAFTER. No, sir; and so far as I am concerned, and so far as my troops are concerned, there has been no trouble since, and no difference; except that we have felt a little greater security because we were acting under orders, whereas we knew before that we were taking the responsibility ourselves.

The CHAIRMAN. This instruction reads that you are to follow, when in pursuit of a band of marauders, when your troops are either in sight of them or upon a fresh trail, and to overtake and punish them; since the issuing of this order, have you or any of your troops passed over into Mexico in any instance where you were not in sight of the raiders nor upon a fresh trail?

Lieutenant-Colonel SHAFTER. The answer to that depends upon a matter of judgment as to what is a fresh trail. The trail that Colonel Young's command crossed on the other day was twenty-three days old, and they followed that trail six days and got the Indians. When Lieutenant Bullis crossed some time ago, he did not cross on a fresh trail, but three fresh trails were reported some distance above him, and he crossed where he did for the purpose of striking those trails. I myself crossed upon no trail whatever, but simply chose the most available crossing-point so as to get to a certain point in Mexico that I wanted to reach in order to support Lieutenant Bullis. The point at which Lieutenant Bullis crossed was an old Indian crossing, and there was no fresh trail there; but his scouts had reported fresh trails farther up, and he made the crossing at this point to strike the trail above and strike the Indian camp, which he did, and caught the thieves—got their plunder. My own crossing was for the purpose of supporting him, and nothing else.

The CHAIRMAN. Have there been any other crossings since this order was issued there than those you have mentioned?

Lieutenant-Colonel SHAFTER. I sent Lieutenant Bullis across the river at another time, but he went over at night and came back the next morning, having picked up a few stolen horses that were at a thieving ranche; but that case is hardly worth speaking of.



The CHAIRMAN. The three crossings you have mentioned, then, are all that have been made since this order was issued?

Lieutenant-Colonel SHAFTER. I think so.

The CHAIRMAN. On the the 14th of July an order was issued changing the first order, to this effect: that when a Mexican force is present to intercept retreating raiders, you are to leave the performance of that duty on the Mexican side to such forces; was it under this changed order that the Mexican authorities joined you, on your request?

Lieutenant-Colonel SHAFTER. Yes, sir; and it was in pursuance of that order that I notified them. They were just about as far from the point of crossing as I was, and I started my own troops to the river to show them the point, and telegraphed at the same time to General Falcon where the crossing was reported to be, and in three instances he started out a party to co-operate.

The CHAIRMAN. In those instances you notified the Mexican authorities of this order issued by our government?

Lieutenant-Colonel SHAFTER. No; I don't think I did. I simply wrote a letter or telegram to General Falcone, telling him that a party of raiders who had been into Texas were heading for the river at such a point, and that I would have a party there to show any men that he thought fit to send where the trail was. General Falcon knows as well as I do where the raiders go to, for he was raised on the frontier, and has his home there.

The CHAIRMAN. In your opinion, is there any danger of a collision between this country and Mexico resulting from obedience to this order?

Lieutenant-Colonel SHAFTER. If we carry that order out just exactly as it has been given, including the modification of it, which says that we shall overtake and punish them as well as retake stolen property taken from our citizens and found in their hands on the Mexican side, there is nothing in the order to prevent me from going into a Mexican town if I chose to; and if I should do that it would no doubt result in a collision, unless I was so much the strongest that they would not dare to attack me. That is my opinion.

The CHAIRMAN. You mean that that would be the result if you should carry out fully the modified order?

Lieutenant-Colonel SHAFTER. If in carrying out the modified order it should become necessary to go into a town garrisoned by troops in sufficient numbers to successfully resist our entrance, or if the pursuing party was so small that the citizens could successfully attack it (and every citizen there is a soldier), it would, I believe, result in a fight. That is my opinion, but I may be very much mistaken.

The CHAIRMAN. This order says that when a Mexican force is present to intercept the raiders you shall leave the performance of that duty to the Mexican force; now you would not follow the raiders into a Mexican town if there were troops stationed there?

Lieutenant-Colonel SHAFTER. Probably not, although I did not take that view of the order. I understand it to refer to Mexican troops that should take an active part, that should do something. If the troops sat still in the town, I don't see why we should not be allowed to go into the town under those orders; but perhaps I am wrong.

The CHAIRMAN. Then, as you understand the order, our troops are to follow the raiders into Mexico on a fresh trail and capture and punish them, and if it is necessary they are to follow them into a town where there are Mexican troops?

Lieutenant Colonel SHAFTER. Well, I believe that the order would sustain an officer in doing so if the Mexican commander refused to at-

tend to the matter himself. I may be mistaken, but I do not see any other interpretation of the order that would be sensible if we wanted to get what we went for.

The CHAIRMAN. Then the presence of the Mexican force to intercept retreating raiders is not to prevent the capture and punishment of the raiders by our troops, as you understand the order?

Lieutenant-Colonel SHAFTER. If the Mexican force refused to pay attention to the matter, it strikes me that the only construction I could put upon that order would be that we were to go on ourselves. At the same time, before I would take the responsibility of having a fight or bloodshed between American troops and Mexicans, I think I would, perhaps, let an unimportant stealing party go; and I can say now that during all this time the most friendly and cordial relations have existed between the commanding general of the Mexican forces and myself, as I can show by his official letters.

The CHAIRMAN. Suppose that under this order you should go over into Mexico in pursuit of raiders who had been into Texas and had stolen property, but whom neither you nor your command had seen on the American side, and you should come up with a band of Indians who appeared to have in their possession stock with the brands of Americans upon them, encamped near a body of Mexican troops, and those Mexican troops declined to interfere, would you deem it your duty to take possession of the stock and the raiders?

Lieutenant-Colonel SHAFTER. I certainly would, sir; because I know that those Indians are doing nothing but stealing. I know that there are no Indians over there who are not thieves, or who have not been murdering and robbing for years on our side of the river.

The CHAIRMAN. Suppose it were a band of Americans and Mexicans encamped, having in their possession stock thus branded, what then?

Lieutenant-Colonel SHAFTER. If they were on the trail I would take charge of them, at least long enough to find out who they were and what they were doing; but there are no Americans and Mexicans who have been followed to the other side with stolen stock; at least no such case has been reported to me.

The CHAIRMAN. Would you do that under this order even if the Mexican officers and authorities declined to interfere with the raiders?

Lieutenant-Colonel SHAFTER. Yes, sir, I would. That is, if I had followed the trail from where they had committed the robbery and found them at the end of it. That, however, is something that has not occurred yet. It is a notorious fact that the Indian thieves alone have done this work, this stealing.

The CHAIRMAN. Do you not think that the attempt to take possession of the property would bring about a collision between the American and the Mexican forces?

Lieutenant-Colonel SHAFTER. No, sir; I do not, if the Mexican forces had declined to act. I don't believe at all that the Mexican troops that come up from the interior are in sympathy with the thieves; at least their officers say that they are not and that is all I can judge by, what they say and what they do.

The CHAIRMAN. Then, in your opinion, President Diaz is trying to prevent raids by being a good neighbor, is he not?

Lieutenant-Colonel SHAFTER. So far as the professions of his officers go they are all right, and his practice is hard to find fault with, but it has not amounted to anything so far, or at least, not to very much. I have no doubt, however, that the Diaz government is as good as any government that has lately existed in Mexico.

The CHAIRMAN. I understood you to say that the Diaz government was stronger than any government that has existed in Mexico for a long time.

Lieutenant-Colonel SHAFTEK. It has shown more strength. It has been able to send troops to the frontier, and that has not occurred before for a long time except in cases where they needed them there for actual service against bands of revolutionists.

The CHAIRMAN. What recommendation, if any, would you make in order to give better security for life and property upon that frontier?

Lieutenant-Colonel SHAFTEK. I am hardly able to make a recommendation, and I do not know that it would be respectful for me to make a recommendation under any circumstances. I have my own private opinion, which of course I think is the correct one, and it is that Mexico ought to be made to take care of those people of hers, and that instead of I or other American officers going over into Mexico we should stop at the river, and then if they did not do their part war should be declared at once. I think that would be the right way to do it and not let them trifle with us. If we can get co-operation from them that is a good way to deal with the question, but, at the same time, it strikes me that it is hardly the thing any way to co-operate with the Mexican troops on their side of the river or for them to come over to our side. However, as I have said, that is not a matter for me to judge of; the orders have been given and it is not for me to say whether they are right or wrong. I merely state my private views in reply to your question, but, of course, I do not presume to criticise any orders that have been given. Even on our side we have not always been able to prevent incursions by revolutionary bands into Mexico.

The CHAIRMAN. Where is the town of Piedras Negras?

Lieutenant-Colonel SHAFTEK. It is right opposite Fort Duncan; it is the present Mexican frontier headquarters.

The CHAIRMAN. Did you ever release anybody from imprisonment in that town?

Lieutenant-Colonel SHAFTEK. No, sir.

The CHAIRMAN. The statement concerning you that you had gone over there and released men from the guard-house of the town is not true then?

Lieutenant-Colonel SHAFTEK. No, sir; it is not true. I did cross over to do so but the men had been taken out the night before. I did that in obedience to positive orders. That was last spring.

The CHAIRMAN. Who were those men that were imprisoned?

Lieutenant-Colonel SHAFTEK. They were two men that had been employed as guides by our forces in pursuing Indians into Mexico.

The CHAIRMAN. Were they Mexicans?

Lieutenant-Colonel SHAFTEK. They were Mexicans by birth, and I suppose by citizenship; they may not have been, though I think they were.

The CHAIRMAN. They had been arrested and put in prison in Mexico by the Mexican authorities?

Lieutenant-Colonel SHAFTEK. Yes.

The CHAIRMAN. And you went over you say for the purpose of releasing them?

Lieutenant-Colonel SHAFTEK. I did.

The CHAIRMAN. By whose orders?

Lieutenant-Colonel SHAFTEK. General Ord's, my department commander.

The CHAIRMAN. What force did you take with you when you went over?

Lieutenant-Colonel SHAFTER. About three companies of cavalry and two of infantry.

The CHAIRMAN. You say the men were taken away before you got there?

Lieutenant-Colonel SHAFTER. Yes, sir; they were taken away about one o'clock at night, and I arrived about daylight next morning.

The CHAIRMAN. Were there any Mexican troops stationed there?

Lieutenant-Colonel SHAFTER. No, sir.

The CHAIRMAN. Where were the guides taken to?

Lieutenant-Colonel SHAFTER. They had been started on the road to Saltillo.

The CHAIRMAN. About what time was that?

Lieutenant-Colonel SHAFTER. I think it was the 2d or 3d of April, 1877.

The CHAIRMAN. What was the ground for your action?

Lieutenant-Colonel SHAFTER. The report was that the men were to be shot for having acted as guides for our troops while in pursuit of Indians into Mexico—in those operations in 1876 that I have told you about where we crossed over with the consent of the Lerdo authorities then in power. This arrest of the guides took place immediately upon the coming into power in that district of Mr. Diaz, and this was one of the early acts of some of the Diaz officials. These officials were local men, and some of the worst in the community, and they had arrested these guides of ours, and it was believed that they were going to execute them. Those bad men have since been removed. One of them was a noted thief and murderer.

The CHAIRMAN. Did you send your command to the jail when you went over to that town?

Lieutenant-Colonel SHAFTER. The part of my force that I commanded myself was two or three minutes late, and the infantry that had crossed right in front of the post of Fort Duncan got to the jail first, and found the door open, and were standing there as I rode in from the opposite side of the square. I had crossed about a mile above the fort, and came down on the other side. I had a little talk with some of the civil authorities there that I have known for years, and I told them what I had come over for, namely, to get those guides; but they had gone, and that was the end of it, and I would go back. There was no ill feeling whatever shown. I went over afterward to see the commanding officer about another matter, and I was received with the greatest cordiality; in fact, a deputation of the citizens came down to the river to meet us.

Adjourned.

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COMMITTEE ON MILITARY AFFAIRS,  
*Washington, D. C., January 7, 1878.*

Examination of Lieutenant-Colonel SHAFTER continued.

By Mr. MAISH:

Question. In your examination yesterday, I asked you about the time when these regular troops from the central government of Mexico came to the frontier; can you state now what that time was?—Answer. I can state with a good deal more accuracy than I could yesterday. They came there the last of July, 1877.

Q. I asked you yesterday in regard to the raids and crossings made

into Mexico; can you state any more about them to-day than you did yesterday?—A. There was one crossing which entirely escaped my mind yesterday. A lot of Indians had crossed into the United States and came about 200 miles out near Fort McKavitt and had taken about fifty head of horses. They were pursued by the rangers to within 15 miles of the Rio Grandè. There the horses of the rangers gave out and they abandoned the trail. The Indians took the horses from the immediate vicinity of the rangers' camp. Lieutenant Bullis, who was coming down on our side of the river (having been up scouting), struck the trail just at night and only a few hours behind. He followed the trail across into Mexico and on about the 2d or 3d day came on the Indians just after daylight; retook all the horses but one, and seriously wounded three of the Indians. We knew that these were wounded because they were brought down to Saragossa and were treated near by there.

Q. When did that take place?—A. The second of July, 1877, Bullis struck them. It was in Gillespie County that the stock was stolen.

By Mr. MAISH:

Q. How many horses were retaken on that occasion?—A. Twenty-two horses, all with American brands, but the whole 50 that had been stolen were accounted for. General Clitz reported that 50 horses were stolen on that occasion, and that number was accounted for. The rangers got a few, the Indians killed a few, and some were abandoned on the way. Twenty-two of them were actually taken from the Indians.

Q. What was done with those horses?—A. Some of them Lieutenant Bullis was able to get in with, but some he had to abandon on the way on account of their being so foot-sore. Of those that were brought in all which were claimed were delivered to the owners. Fort Clark, where the horses were brought, is 200 miles from where they had been stolen. Forty of them had been stolen from one man; he came and got three or four of them back. Those that were not reclaimed were given to the Seminoles; that is, they were allowed to keep them subject to the claims of the owners.

Q. Then only three or four were restored to the owners?—A. I do not know how many were restored. Any man who made an affidavit that a horse was his, got it.

Q. But you cannot approximate the number of horses that were actually restored to the owners?—A. I cannot, because I did not attend to the details myself.

By the CHAIRMAN:

Q. Have you any letters or communications which you have received from Mexican army officers?—A. Yes; I have two letters here from General Naranjo, who was commanding the Mexican forces at Piedras Negras. One of these letters was sent me three days after I returned from a scout in Mexico.

The letters were put in evidence and are as follows:

EJERCITO CONSTITUCIONALISTA LINEA DEL NORTE, GENERAL 20 EN JEFE. \*

Tengo el honor de participar á V. que, teniendo urgente necesidad de salir al interior de la linea a desempeñar asuntos del servicio, queda al frente de esta parte de ella el C. G'ral Anacleto R. Falcon con quien espero siga entendiendose en todo aquello que tienda a conservar el grado a que han llegado felizmente las buenas relaciones de ambos paises. No dude V. que ante mi gobierno hare presente la parte activa que ha tomado V. para con seguirlo.

Libertad en la constitucion. Piedras Negras, Agosto 7, 1877.

F. NARANJO.

S'r Colonel W. SHAFTER. Fort Clark.



EJERCITO CONSTITUCIONALISTA LINEA DEL NORTE, GENERAL 20 EN JEFE.

PIEDRAS NEGRAS, *Agosto 6, 1877.*

MUY S'R MIO Y AMIGO: Con verdadero sentimiento tengo que anunciar a V. por la presente que me es absolutamente imposible pasar a visitarle a Forte Clark, como tenia ofrecido. Asuntos importantes del servicio exigen mi presencia en el interior de la linea, y, como V. comprendera me es indispensable at tender los. Queda sustituyendome en este lugar el S'r G'ral D. Anacleto R. Falcon, para todo aquello que pueda ofrecirse.

Al retirar me a cumplir con los deberes de mi cargo, tengo el gusto de pasarle un regalo que consiste en una petaca para el uso de campo—regalo verdaderamente ranchero pues mi principal objeto ha sido manifestarle de alguna manera el aprecio que V. me merece. Al efecto estos objetos quedan depositados en la casa del S'r Callsen, a disposicion de V.

El S'r G. W. Schofield, a mas de lo que espongo en esta, dara á V. mas esplicaciones sobre mi marcha.

No dude V. que le contara entre el numero de sus amigos,  
Su servidor,

F. NARANJO.

Al S'r Coronel W. SHAFTER.

[Translation.]

CONSTITUTIONAL ARMY NORTHERN LINE, GENERAL SECOND IN CHIEF.

I have the honor to inform you that, being under the urgent necessity of departing for the interior of the line to attend to business of the service, General Anacleto R. Falcon remains at the front here, with whom I hope you will continue to be in accord in regard to everything tending to preserve the position which, happily, the good relations of both countries have attained. Do not doubt that I will have laid before my government the active part which you have taken to attain it.

Liberty in the constitution. Piedras Negras, August 7, 1877.

F. NARANJO.

Col. W. SHAFTER,  
*Fort Clark.*

[Translation.]

CONSTITUTIONAL ARMY NORTHERN LINE, GENERAL SECOND IN CHIEF.

PIEDRAS NEGRAS, *August 6, 1877.*

To Col. W. SHAFTER:

MY VERY DEAR SIR AND FRIEND: With real feeling of regret I have to announce to you hereby that it is absolutely impossible for me to cross over to visit you at Fort Clark, as I had offered to do. Important subjects of the service require my presence in the interior of the line, and, as you will understand, it is indispensable that I should attend to them. General Don Anacleto R. Falcon remains here as my substitute for everything that may happen.

On withdrawing, in order to fulfill the duties of my position, I have the pleasure of sending you a present, which consists of a camp-chest—a "ranchero" present, indeed—because my principal object has been to manifest to you in some manner the esteem which you deserve from me. For that purpose these objects are deposited in the house of Mr. Callsen at your disposal.

Mr. G. W. Schofield, in addition to what I herein state, will give you more explanation in regard to my journey.

Do not doubt that you will be reckoned in the number of his friends by  
Your servant,

F. NARANJO.

Q. Have you any other documents which have not been printed or published in the report of the Secretary of War, and which would tend to show the feelings and sentiments of the Mexican Government toward our own government and as to your management of affairs on the frontier?—A. I do not know that I have any with me.

Q. As I understand you, all the stock which was retaken was retaken from Indians?—A: All except twenty-one head of cattle, which were picked up going into Newtown in April last. The Mexicans had been driving them so fast that they had to leave them. These cattle

had been stolen by Mexicans, and were taken to the town of Newtown and kept there. Everyth ng else was retaken from Indians.

Q. Do you know whether the Mexicans who took these cattle were American citizens or citizens of Mexico?—A. I do not positively, but I do know that an American citizen cannot take stock into one of the Mexican towns and hold it there. They would take it away from them at once.

Q. What was expected among Army officers would be the result of the issuing of the order to pursue raiders into Mexico?—A. That order did not occasion much, if any, discussion where I was. It made no particular change there. We had been scouting into Mexico before that, and we have continued it since. It was believed, after the Mexican order was issued, that if we came in contact with Mexican troops we would possibly have a fight with them.

Q. Are the Mexican authorities better disposed towards the officers and men of our Army than they are toward Texas rangers and Texas organizations?—A. O, yes, sir; they know that when we cross the river we only cross it in the line of our duty and to recover stolen property; that we do not steal from their side, and do not cross over for the purpose of raiding or of robbing them, and that we have none of the personal ill-feeling toward them which many of the people on the Texas side have. Personally they never injured any of us, of course, and they know we have no desire to injure them.

Q. When the property captured from raiders is brought back, are there any instances in which it has been claimed by the Indians or by the parties from whom it has been recaptured?—A. There never has been an instance of it. The cattle have the American brands, and the American ownership has never been questioned at all.

By Mr. BRAGG:

Q. How early in the history of this examination were you apprised at Fort Clark that an application was made to the Secretary of War for the attendance of officers before this committee?—A. I should think that about four or five days before I started, I received a dispatch from the department headquarters, notifying me that I was ordered to Washington to testify before the House Military Committee, and that the order would be forwarded by the next mail.

Q. Did you receive any other information except through official sources?—A. No, sir; none whatever.

Q. Do you know whether any communication was sent either to the department here or to any officer in the department, or to any other person shortly after the news reached Texas that you were requested to come here, that if it was the purpose or desire of this committee to get up a war, it could be got up at very short notice, or words to that effect?—A. No, sir.

Q. You have never heard of such a communication coming from any parties in Texas?—A. No, sir. It is a matter which every one very well understands, that a war could be got up with the greatest ease.

Q. Was there any communication passing between you and parties in San Antonio unofficially—with parties not connected with the army, relative to your coming here, and as to what might be the course of examination after you arrived here before this committee?—A. Not that I recollect.

Q. Did you procure a Mr. Paschal, an attorney in San Antonio, to prepare affidavits for you to use here?—A. I did employ Mr. Paschal to take affidavits for me in reference to my crossing in September, and

he was so employed when I received notice to come here. He was not at San Antonio, however, but at the post in Fort Clark.

Q. At what time?—A. At the time I received notice to come here. He had been there acting as counsel for an officer being tried by general court-martial. The affidavits or copies of them I have now in my pocket. Mr. Paschal was employed, at the time I received my dispatch, in taking some affidavits in regard to the crossing in September—the one which is claimed to have been in violation of orders. I had been directed by the Secretary of War to make a detailed report of it, and I was substantiating that report by the affidavits of citizens in that vicinity. Mr. Paschal, who was a lawyer and a friend of mine and who was then at the post, and who speaks Spanish fluently (many of the parties giving testimony being Mexicans), was doing the business for me.

Q. Then the affidavits were not prepared to be used before this committee?—A. No, sir; they were not. They were prepared to accompany a detailed report of my crossing into Mexico.

Q. Do you not know that Mr. Paschal advised Mr. Schleicher, of the House Committee on Foreign Affairs, of the work which he was engaged in for you in preparing affidavits to be used here?—A. Mr. Paschal has never shown me any letters which he has written to Mr. Schleicher, although I know that he was in correspondence with him.

Q. Do you not know from him that he wrote such a letter?—A. I know that he wrote to Mr. Schleicher, but just what he wrote to him I do not know.

Q. If you had no information relative to the investigation to be made by this committee, except the dispatch which you state you received from the department headquarters, can you tell us why you should deem it of importance to be prepared with affidavits to be used here?—A. I am not prepared with affidavits to be used here. I had those affidavits prepared for the purpose of accompanying my report, and either the copies or the originals (I cannot tell which) I have with me. The others were forwarded through the military channels. As these affidavits all relate to outrages committed by residents of Mexico against citizens of Texas, I brought my retained copies with me to show the committee if they wished them. They were, however, prepared for use before the Secretary of War.

Q. Then there was no talk or discussion at the post or between you and the officers at department headquarters relative to what would probably take place here?—A. Nothing especially. We talked of the matter, of course, as a matter of interest, but there was no particular conversation that I recollect.

Q. Was there anything said in any of those conversations relative to war being the result of the enforcement of the order of the department?—A. I think nothing more than I have testified to here already. I may have expressed my opinion that war might be produced by carrying that order out under certain circumstances.

Q. Did you entertain that opinion at the time you made the recommendation that the order should be issued?—A. I do not know that I did, although my own opinion is that a war would be a very slight thing as compared with the number of Americans who have been killed on our own side of the river.

Q. Did you state what was the occasion of your recommending the order of June 1, 1877, to be issued?—A. I do not think I ever recommended that order to be issued. I wrote a report in which I said that the only way to catch Indians or to stop raiders was to pursue them across the river—that it could not be done on our side of the river.

Q. And on that the order to cross the river was made, was it?—A. The letter of instructions states that it was made on that letter from me, and from other information.

Q. Did not the War Department know that you were in the habit of crossing the river before that time without orders?—A. My own department commander knew it very well from my reports.

Q. Was it not known here at the War Department in Washington?—A. I really cannot say, but I suppose it may have been known.

Q. Have you any communication, official or otherwise, showing that the fact was known that you had been crossing into Mexico without orders from the government?—A. I do not believe I have.

Q. Have you anything to show that the department commander knew that that was your practice?—A. I told him so.

Q. Verbally or in writing?—A. Both verbally and in writing.

Q. Does this communication appear anywhere in the official dispatches?—A. No, sir; I think not. I have copies of official reports which I made during the summer of 1876 and which would show very clearly where I had gone if any one had troubled himself to look at the map.

Q. Did your department commander or any of your superior officers discountenance your passing into Mexico without orders?—A. No, sir.

Q. Were you cautioned by them that it might be regarded as an act of war?—A. No, sir.

Q. Did you not know that the Mexican government and people were jealous of their rights and of their national dignity, which would be invaded by such a course?—A. I did.

Q. Did you not know that they claimed that such an act was an infraction of the treaty obligations existing between their government and ours?—A. No; I do not think I did at that time. I stated here yesterday that it was with the consent of the military authorities of the other side that I crossed. I was pretty sure that the central government knew nothing of it.

Q. And the assent of the military authorities was after instead of before the crossing, was it not?—A. No, sir; it was both before and after.

Q. And it related exclusively to the pursuit of Mexican Indians into Mexico—not touching Mexican towns or any country inhabited by Mexicans?—A. We have a section of country there called Indian Territory. It did not refer to any of that. It did refer to the pursuit of Indians who live in Mexico, whose homes are in Mexico, and who have been there for a number of years, but who were formerly United States Indians and who lived in Mexico remote from the Mexican settlements. And that agreement was never infringed upon.

Q. And all that was done, you say, with the knowledge and approval of your commanding officer?—A. It was done with his knowledge, and has never been disapproved.

Q. Have you ever discussed with him the probabilities of the result of such a course if continued?—A. Nothing particular.

Q. Anything in particular touching the probabilities of war growing out of it?—A. We have discussed the advantages derived from the pursuit of these raiders.

Q. Have you discussed the consequences which might arise?—A. No, sir; I do not know that we have.

Q. Have you not between yourselves mutually suggested that, although a war might be the result, such a result was not to be deprecated in consideration of the great outrages which had been perpe-

trated from time to time on the people of Texas?—A. I cannot say positively that that is General Ord's opinion about it; he never expressed such opinion to me, but it is my own and has been for a long time.

Q. Then the entertaining of that opinion accounts, does it not, for that expression to which I directed your attention yesterday in your communication to General Ord; you hoped soon to be able, and had no doubt you would have an opportunity, to cross?—A. No, sir, it does not.

By Mr. MARSH:

Q. Have the Mexican authorities, or troops, or local militia been in the habit for years of crossing into Texas in the pursuit of Indian thieves?—A. Always, whenever they had occasion to do so. I can give you numerous instances in which they crossed to this side during the past twenty years, and up to as late as September of this year.

Q. And your crossing on the other side was of a similar character?—A. It was of the same character, and was not regarded by the Mexican citizens as inimical to them. It commenced many years before in Mexico. In former days—ten, fifteen, or twenty years ago—these Indians lived in Texas, and then used to raid into Mexico, where the settlements and horses were, and in those days the Mexicans habitually crossed over to this side in pursuit of these Indians. They had been over in one instance as long as forty-five days, and this same General Falcon, who is now commanding the Mexican troops opposite me, has, within the time that I have been on the Rio Grande frontier, crossed twice to this side of the river in pursuit of Mexican thieves who had stolen Mexican property.

Q. And this passage of your troops on to Mexican soil was a sort of mutual arrangement and understanding between our authorities on this side and the Mexican authorities on the other side?—A. Yes, sir; the military authorities, not the civil.

Q. Was it disapproved of by the civil authorities on the opposite side?—A. No, sir; nor by ours either.

Q. Then was there any danger of a war growing out of that existing state of things?—A. I never apprehended that there was any danger of a war until recently, when this order was issued by the Mexican Government, that its troops should repel force by force. It struck me then that either one of two things must happen, that we should stop crossing and back down or that they should.

Q. Has that order on the part of the Mexican Government been revoked?—A. I do not know.

Q. Has it been practically carried into effect opposite you?—A. No, sir; it has not.

Q. Instead of repelling your forces, the Mexicans have co-operated with them?—A. There has been but one case where it might be that they set out to repel force by force, but they did not attempt it, and still later they have joined forces with us in pursuit of raiders, and that but a few days ago.

Q. Then, instead of repelling you, they have co-operated with you?—A. There has been but one instance of the kind, and that occurred fifteen or twenty days ago. That was on the part of General Falcon, when a portion of his troops and a portion of mine joined together and started into Mexico on the invitation of Mexican officers in pursuit of thieves.

By the CHAIRMAN:

Q. What was the Mexican order to which you refer?—A. I refer to the order of the Mexican minister of war—order No. 10—which is to



be found on pages 19 and 20 of the message of the President in regard to Mexican border troubles, Ex. Doc. No. 13, Forty-fifth Congress.

By Mr. MARSH :

Q. Have you a copy of the order issued by your department commander, which was based on the order of the Secretary of War of June 1?—A. I have not.

Q. Your operations against the Mexican border since the 1st of June have been under that order of General Ord's, your department commander?—A. Yes, sir. I wish it to be understood that I did not myself cross the river on every occasion referred to in the foregoing testimony, but that all the crossings were either made by me or by my order by troops of my command.

W. H. SHAFTER,

*Lieutenant Colonel Twenty-fourth Infantry, Bvt. Col., U. S. A.*

*Testimony of First Lieut. John L. Bullis, Twenty-fourth Infantry.*

COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., January 8, 1878.

First Lieut. JOHN L. BULLIS sworn and examined.

By Mr. MAISH :

Question. What is your rank in the Army?—Answer. I am first lieutenant in the Twenty-fourth Infantry, and I am in command of the Seminole scouts, stationed at Fort Clark, Texas.

Q. You have made a number of raids into the territory of Mexico, I believe?—A. I have, quite a number.

Q. Begin at the first one of those raids which you made and give us an account of it?—A. In May, 1873, my command was with that of Colonel Mackenzie's in the attack on an Indian village composed of Lipans and Kickapoos. We attacked them about 7 o'clock in the morning of the 18th of May, 1873, killed 19, captured 40 women and children, and one chief, and 60 or 70 head of horses.

Q. Did you pursue those Indians?—A. No, sir; we went directly to the village from our own side of the Rio Grande.

Q. You have not stated how it came to your knowledge that these horses were there or why it was that the attack was made upon the village.—A. The Indians had been stealing and murdering on the American side of the Rio Grande, and it came to the knowledge of the military authorities, and in order to prevent it and to assist the people of the frontier, the attack was made on this village. No trail whatever was followed at that time.

Q. What did you do with the 60 horses that were recaptured?—A. They were brought to our side of the river and were turned over to the owners, who made affidavits, I believe, as to their property. The Indian prisoners, I think, were sent to Kansas to the Kickapoo reserve. They were all Kickapoos, with one exception, and he was a Lipan chief.

Q. Can you tell how many of those horses were restored to their owners?—A. I should say that 40, or perhaps more, horses were restored. I cannot say definitely, as the turning them over to the proper owners was not a matter within my control.

Q. Do you know what part of the country those Indians inhabited at that time?—A. Yes, sir; they were living at a place called Rimolino,

at the head of the San Rodriguez River, in Mexico, about south-south-west from Fort Clark, and about forty miles from the river.

Q. Both tribes?—A. Yes, sir; both tribes. They were encamped about a mile apart.

Q. Did these Kickapoos originally belong there?—A. No, sir; they are American Indians. They had been residing for years within the territory of the United States. Their reserve (Kickapoos) I think is in Kansas or in the southern part of the Indian Territory.

Q. Proceed with your account of the second raid.—A. About the 1st of June, 1876, Colonel Shafter's command, consisting of about 5 companies of cavalry, was encamped on the Rio Grande, about 60 miles above the mouth of the Pecos River. While in camp at that place, Colonel Shafter started me across the river with three Seminoles and two Mexicans for the purpose of spying out or reconnoitering the whereabouts of Indian villages which we supposed were then in the mountains within 60 or 80 miles of the river. On leaving his command I found some Indian sign, but nothing that would indicate that there was any village near about. I returned to his command in about 4 or 5 days and reported the result. He started me out afterward (the next day, I think) with three or four Seminole scouts and two Mexicans. I went in a southerly direction, found fresh sign of Indians, returned to his camp on the Rio Grande and reported the fact. He crossed the river the following day, and went to the point in the Sierra Carmel, but was unable to find a village. He returned in a few days to the American shore, and sent me with 29 Seminole scouts and one Mexican in a westerly direction. I crossed the Rio Grande below San Carlos, an Indian village on the Mexican shore, about 50 miles below Del Norte. Before crossing to the Mexican shore I found camps of Indians which had been recently abandoned. The sign indicated that they had crossed to the American side of the Rio Grande. On reaching our side I found 15 horses secreted at the mouth of a cañon, the Indians having discovered us and fled to the north. I followed their trail some two or three days, when (my horses being worn-out) I abandoned it and returned to Colonel Shafter's camp on the Pecos River. That is the third expedition.

In July, 1876, Colonel Shafter left his camp on the Pecos River, about the 20th of the month, and crossed the Rio Grande 25 miles above the mouth of the Pecos River, at a point known as the Eagle's Nest Crossing. We marched south for some five or six days, and on the night of July 29th he gave me the command of twenty enlisted men of Company B, Tenth Cavalry, and twenty of my scouts and one commissioned officer, and directed me to proceed to the south and to try and hunt up an Indian village, which we supposed was then located on the San Antonio River. I left his command at 4.20 p. m.; marched at a brisk walk, trot, and gallop until three o'clock the next morning, July 30th. We made camp in a brush thicket near the river, and at the first appearance of day we discovered an Indian camp, distant about a mile. I had my men saddled up underneath the cover of the trees, and shortly afterwards we attacked the camp, killed fourteen Indians on the field, captured four squaws and ninety-six horses and mules, and destroyed their entire village. Then we marched towards the Rio Grande, and joined Colonel Shafter's command. The following day, July 31st, Colonel Shafter returned to the American shore, and sent me off on another expedition into Mexico.

Q. State what tribe of Indians these were.—A. The Indians who were attacked were the Lipans.

Q. Are they Mexican Indians?—A. No, sir; they are American Indi-

ans. Before the war they lived on a United States reserve in the State of Texas.

Q. You have no personal knowledge of the disposition of the horses that were taken from the Indians?—A. Yes. There were ninety-six horses and mules captured. They mostly had American brands, and they were turned over to the claimants residing on our side of the Rio Grande, with some few exceptions. All that were claimed, however, were turned over to the owners.

Q. Did you bring the whole of them back to the American side?—A. Yes; with the exception of four or five that may have been killed or dropped on the road.

Q. You may proceed now with your narrative.—A. On July 31st I reported to Col. Shafter at an arroyo, known as the Zorro Cañon, in Mexico, and the following day, August 1st, I left his command and proceeded to a water-hole about ten miles distant from the Rio Grande, in Mexico, for the purpose of watching for Indians who were then known to be raiding on our side of the river. There I remained three or four days, and on the morning of the 4th of August two of my men discovered a party of Indians coming to the north of us marching up the cañon. I immediately had my men saddled up, and endeavored to intercept the Indians, but we were discovered. The Indians dropped their herd of horses, numbering, I think, fifteen horses and mules, and made good their escape. These Indians were Lipans, and they were returning at the time from a raid into Texas. They had stolen horses at Dennis, Guihi, New Fountain, and the settlements between the Rio Grande and San Antonio.

I returned in a few days afterward to the American side of the river, and reported to Colonel Shafter, at his supply camp on the Pecos. I think that that is about the fourth raid. The total number of horses and mules captured by me within three weeks or about that time was 127 head. They were all taken back to the American side of the river, with some few exceptions, where we were compelled to drop them by the way. With those exceptions they were all brought to our side of the river, and turned over to citizens who claimed them, on their making affidavits that they were their property. Those horses that were not claimed were given to guides as part payment for their services, and some few of them were also given to officers and scouts.

The next raid or crossing of the Rio Grande was in January, 1877. On December 31, 1876, the Indians made a raid and stole 42 head of horses from a citizen living within 7 miles of Fort Clark, and from other parties, gathering up about 20 head more. I was sent out from the garrison with 10 Seminole scouts on the 2d of January, 1877, struck the Indian trail about ten o'clock of the same day, and in four days followed them to the Rio Grande. The distance was about 40 miles, but the Indians were very cunning and drove their stock over very rough, broken country, and also over country where horses and cattle ranged, so that we were thereby delayed in following the trail. The Indians, on nearing the Rio Grande, collected up some 200 or 300 head of cattle, mostly owned by American citizens living at San Felipe, Tex., three or four miles distant from the mouth of Devil's River, and they crossed the cattle along with their herd of horses. About the 5th or 6th of January I reported to Colonel Schafter, at Fort Clark, the fact of the crossing of these Indians, and, by his direction, I returned to my command on the Rio Grande, took the trail across the river, and followed them some 20 or 30 miles into Mexico. I was instructed to do that and to save distance if possible, because a larger command was then en route

to the crossing of the river, being sent out for the purpose of following up this party of Indians. I crossed with my command some 10 miles below the crossing made by the Indians, so as to save distance, and on January the 12th a party under the command of Captain Keys, of the Tenth Cavalry, numbering about 200 men, crossed the river, and I conducted them by a near route to a water-hole near the mountains, thus saving about 15 miles marching.

We followed the trail into Mexico about 125 miles, marching around through the mountains, and on the 18th of January, I think between 2 and 3 p. m., we made camp; but, unfortunately, very near to the camp of Indians who discovered us and ran.

The following morning we broke camp early, and shortly after found the abandoned camp of the Indians. We also found where they had killed (it was estimated by scouts) about 100 head of the cattle which they had stolen from the American side. We found the heads and the bones and also found some of the meat drying. In their haste to escape they had left portions of their camp and camp equipage, and, I think, three horses, two of which were stolen from citizens who were living at or near Fort Clark, and whose stock had been stolen on the 31st of December, 1876. We returned to the American shore about the 23d of January. That winds up my next trip. These Indians were composed of Lipans and Mescalero Apaches. The Apaches are supposed to be American Indians, although the State of Chihuahua is well filled up with them, and they are very troublesome there; but they properly inhabit Arizona, New Mexico, and the lower part of California.

Q. Do these Indian tribes remain in Mexico permanently, or do they go there periodically from the United States?—A. My belief is (and I have been on the Indian frontier between ten and eleven years) that they live in Mexico. They confess themselves that they cannot live on the American side, as the troops annoy them constantly.

Q. Do any of these Indians belong to reservations?—A. No, sir; although some of the Lipans are at present on a reserve on this side of the river at Fort Griffin, Texas. There are bands of Kickapoos at present in Mexico, some few of them, but they are mostly on the reserves in the northern part of the Indian Territory or in Kansas. There are some few Apaches on reserves in the Indian Territory and some on reserves in New Mexico—for instance, on the Fort Stanton reserve. There are five bands of Indians on the Mexican shore, none or very few of whom have ever been on reservations. I have followed them for years and years and fought them, and know their chiefs. The name of the present chief of the Lipan Indians is Washa Lobo. This Indian and his people reside most of the time near Saragossa in Mexico. They steal constantly on the American side and have done so for years. They came over and made two raids in 1876. On one of these raids they killed thirteen men and one woman. That was in September and October, 1876, and in the months of April and May of the same year the same party of Indians (Washa Lobo's) came over and killed twelve men. Washa Lobo is a cunning fellow. When we left the Rio Grande on the 27th of December he was then in front of the town of San Felipe. We were very anxious then to get a drive at him, but you, gentlemen, frightened us a little about the Rio Grande affairs. Washa Lobo's party of men does not exceed thirty. There is also a tribe of Mescalero Apaches residing near Del Norte, Mexico, under a chief known as Magnus Colorado. He has from forty to sixty men. These Mescalero Apaches are marauding Indians. There are also three parties of Indians living at or near San Carlos, about fifty miles below Del Norte. San Carlos is an

Indian town distant about eighteen miles from the Rio Grande in the State of Chihuahua. One party is under a chief by the name of Tejano. There is also a party of Mescalero Indians living at or near the same place under a chief named Leon. There is also a party residing at or near the same place under a chief named Cheno. There is also a party living south of San Carlos, about sixty miles in the Sierra Carmel, under a chief known as Alsate. All of these Indians depredated on the American side of the river. The total number of them I suppose to be about 225 men.

The next raid that took place was on July 1, 1877. When returning from an expedition in the mountains, up the Rio Grande, on the American side, on the 29th of June, two of my men found an Indian trail between the Pecos and the Rio Grande, distant about 70 miles from the mouth of the Pecos. On the 30th of June I took the trail with my scouts, numbering about 35, followed it that day to the Rio Grande and crossed the river. We crossed on a raft of logs, the river being very high at the time. We took the trail on the following morning, July 1, followed it about 30 miles, and camped on the trail after dark. The following morning, July 2, we saddled up before daylight, continued on the trail, and discovered the Indians a few miles distant. We attacked them, captured 23 horses, killed one Indian, wounded 3, and returned to the American side of the river on the 4th of July. This party of Indians was composed of Lipans and Mescaleros. They had been stealing stock in Kerr County, Texas, and had wounded one boy, who was placed in the post-hospital at Fort Clark, Texas, and received treatment from the post-surgeon. That was the first crossing that was made after the President's order.

The next crossing was in October last. On the 26th of October three guides, who had been in Mexico for the purpose of finding the exact locality of an Indian village, reported at my camp on the Rio Grande that the Indians were then camped about 20 miles west of the city of Saragossa. A day or two previous to that three of my Seminole scouts who had been up the Rio Grande about 120 miles reported to me that they had found three or four small Indian trails where the Indians had crossed and gone into Texas, mostly on foot, wearing moccasins, and that the Indians had fired the grass in eight or ten places within a distance of 50 miles, both on the Mexican and American side of the Rio Grande. That is very frequently the case in Texas and in Mexico. The Indians, in order to hide their trail, will set fire to the grass, which burns very rapidly, and this obliterates a small trail. About 1 p. m. of that day, October 26, I crossed the Rio Grande with about 91 men. I was acting at the time under the orders of Lieutenant-Colonel Shafter, commanding the post of Fort Clark. On reaching the Mexican shore Colonel Shafter came in person and informed me that he would cross with a command and be at the head of the San Diego River, in Mexico, to support me on the morning of October 28, I think.

Before crossing the Rio Grande, I had sent \$15 to a Mexican, living in Mexico, who was then trading and had been for years with the Indians. This money was sent to enable him to purchase articles to take to the Indian camps and find out their exact localities. It had been sent to him some two weeks before I crossed the river. The three guides who reported to me stated that this man would meet me at the head of the San Rodriguez River, at about 8 or 9 o'clock on the night of the 27th. I reached the place about the hour of 7 or 8, but no Mexican guide was to be found. I secreted my command in a live-oak thicket, and remained at that place during the night of the 27th, and all the day of the 28th



until about 11 o'clock in the night, when (as the Mexican trader did not join me) I started out to hunt the Indian camp. We took the trot and gallop until near daylight, and at a point situated within a few miles of the city of Saragossa (which is about 40 miles from Eagle Pass, Tex.), we found, about sunrise, some sign of the Indian village, and we marched up the bed of a stream known as the Perdido (or Lost Creek), and about 7 o'clock we discovered the Indian village. The Indians at the time were on the move. We went for them; that is, we pitched into them without any delay, and after a hard run of about 4 or 5 miles we captured three squaws, a boy, and a girl, 15 horses and 2 mules. We burned the Indian village and started for the head of the San Diego River, in Mexico, the point at which Colonel Shafter had directed me to report to him. We marched all day at a fast walk and trot, and made camp about 9 o'clock at the head of that river, 42 miles distant, but could not find Colonel Shafter's command. We broke camp the following morning, October 30, a little after sunrise, and started for the Rio Grande. As I was moving from my camp some of my scouts spied a column of Mexican troops following our trail. We continued on our course, and shortly afterward discovered a heavy dust on our right, which proved to be that of the command of Colonel Shafter, to whom I there reported. That finishes this expedition.

Q. You did not encounter the Mexican troops, did you?—A. No, sir.

Q. What did Colonel Shafter's command consist of?—A. It consisted of about six or seven companies of cavalry, numbering in all about 450 men, inclusive of my command.

Q. Could you form any estimate of the strength of the Mexican troops?—A. Yes. The Mexican command we supposed to number about 75 or 100 men. Colonel Shafter had been in camp and the herds were out grazing, and in running them in, when they saw us and the Mexicans, there was quite a heavy dust raised, which attracted our attention. Colonel Shafter immediately broke camp and directed me to take the course to the point where I had crossed the Rio Grande. We took a brisk walk and crossed the river that night about 12 or 1 o'clock. The Mexican command followed us for a few miles, and then retired.

Q. Was there any disposition on the part of the Mexican troops to attack you?—A. The Mexican troops showed no disposition to engage us.

By Mr. MARSH:

Q. How close did they follow you?—A. They kept about a mile in our rear.

Q. Were they in sight all the time?—A. Yes, sir.

By Mr. MAISH:

Q. Did you hurry to get away from them?—A. No, sir.

Q. What did Colonel Shafter do after you left him?—A. Colonel Shafter had his command saddle up. He directed me to take the course toward the point where we had crossed the Rio Grande. We marched that day about 30 or 40 miles, and crossed the river about 12 or 1 o'clock in the night. Colonel Shafter crossed with me at the same point.

Q. You were all together?—A. Yes, sir.

Q. And the Mexicans marched in your rear?—A. Yes; they followed us for a few miles.

Q. Do you know why Shafter crossed into Mexico with so large a body of men to support you?—A. Yes, sir. This Indian camp was supposed to number at the time 40 men well armed, and Colonel Shafter thought that I might have some wounded men with me, and for that reason he

told me that he would cross the Rio Grande to render me assistance if needed.

Q. He had some knowledge of the existence of the Mexican troops there, had he?—A. Yes, sir. Two hundred Mexican troops were encamped within a few miles of the Indian village, and had been for weeks and weeks.

Q. And Colonel Shafter's object was to come to your assistance if they should attack you?—A. I could have gotten away from the Mexicans; I am accustomed to that kind of work; but in case I had wounded men with me I might be pressed, and should, of course, dislike very much to leave my wounded behind. So far as the Mexican troops were concerned, I do not think that Colonel Shafter had any fear that they would gain any advantage over my command. In fact, I should not have fought them unless they had brought it on.

Q. What number of men had you with you?—A. Ninety-one men.

Q. And the Mexicans had 200?—A. Yes; but their horses were all poor; I knew it at the time, and I could have evaded them easily.

Q. Were they regular Mexican troops?—A. Yes, sir; regular troops of the Mexican army.

Q. Do you know who commanded them?—A. I think they were at that time under the command of General Falcon, stationed at Piedras Negras, on the Rio Grande, opposite Fort Duncan, Texas.

By the CHAIRMAN:

Q. You thought your 90 men equal to their 200?—A. Yes, sir; their horses were very poor, and I thought I could evade them all. I knew the country as well as the Mexicans or Indians, as I have been on that frontier upward of ten years.

By Mr. BRAGG:

Q. Do you think that Colonel Shafter came across the Rio Grande with a body of 300 men for the simple purpose of assisting your 91 men to escape from the attack of about 40 Indians?—A. No, sir; not solely. Another object was, in case I had wounded men with me and was pursued, to intimidate the Mexicans and prevent them attacking me. Colonel Shafter did not wish to bring his troops in contact with the Mexican troops; he tried to evade it, in fact.

Q. He and General Falcon were on good terms, and had a good understanding at the time?—A. Yes, sir.

By Mr. MAISH:

Q. Some notice of that raid was taken by the Mexican Government?—A. Yes, sir.

Q. What was the complaint about it?—A. General Falcon made a complaint (as I saw in the papers) that American troops had crossed and had attacked an Indian village near one of the Mexican towns or cities in which were stationed regular troops of the Mexican Government. But I was informed that at the time he gave instructions to his officer in command of the troops not to molest the American troops of the line. He was fearful at the time that there might be a party or parties of revolutionists crossing over from the Texas side, and for that reason he was cautious. Escobedo had been endeavoring to raise a force of revolutionists in Texas in opposition to President Diaz, and also a Mexican revolutionist by the name of Pedro Valdez.

Q. You have not stated very clearly what his complaint was.—A. I do not know it. I paid very little attention to it at the time. I was

constantly in the field, and I have no recollection of the particulars of his complaint. Minister Foster forwarded papers relating to it.

By Mr. BRAGG:

Q. Was it a fact that the complaints made by the Mexicans were of so little consequence that you did not attend to them?—A. No, sir; I thought of Falcon's complaint for some time afterward, as I was an interested party, and I did not know how our officials might look upon my action in the matter.

Q. Were you not a little fearful that you had transgressed some of the regulations that ought to control between this government and Mexico?—A. No, sir; I had acted under the orders of my commanding officer, and I was delighted to have such an opportunity. It was peace times, and we had nothing to do but to fight Indians.

I omitted in my narrative one raid which took place some time before that. About the last of July, I think, Mexican thieves stole cattle and horses from a ranch at the mouth of Piedra Pinta in Texas, and crossed them into Mexico above Newtown. The total number of animals stolen by them was about thirty oxen and horses. Colonel Shafter, commanding at Fort Clark, sent me to the point of crossing with one hundred and fifteen men. It rained very heavily the night before, and the trail was almost entirely obliterated. I was directed to remain at that point, and to show the Mexican troops the point of crossing, in case they came up from below, as Colonel Shafter informed me that he had telegraphed to General Falcon. The Mexican troops did not come to the point, as it was hoped they would, and, acting under instructions from Colonel Shafter, I marched down the river about two days (fifty or sixty miles), and then returned to near the mouth of Sycamore Creek, about twelve miles above the mouth of the Pinta. On the night of the 3d of August I received instructions to cross the river, and to try and find the cattle and horses which had been stolen. I crossed over about 12 o'clock, midnight; marched to near the head of the San Diego River, about twenty miles; reached it at daylight, and shortly afterward found five horses bearing American brands, which had been stolen from the Texas side. I recrossed the river about 12 o'clock on the 4th of August and reported to Colonel Shafter, who was at the point of crossing with several companies of cavalry to cover my crossing, and the following day we returned to Fort Clark. That is everything relating to that raid (which I had omitted in my narrative.)

Q. Was it not with reference to that crossing, and to the transaction at Sycamore, that affidavits were taken at Fort Clark before you left there?—A. No, sir; not that I know of.

By Mr. MAISH:

Q. In reference to crossing in violation of the order—with which Colonel Shafter was charged?—A. No, sir; we had reference to the crossing before that, in October.

Q. You have not finished your raids yet?—A. No, sir; there are two more. About the middle of October last I left Fort Clark with 34 Seminole scouts, 1 Mexican guide, 1 Lipan squaw, and acting assistant surgeon Dr. Wolf, and proceeded on a scout up the Rio Grande, acting under instructions from Colonel Shafter, commanding the post. On reaching the Pecos River, distant about 140 miles, about the 22d of October, two scouts, who had been sent out about forty days before, reported to me at that point that they had found where a party of Indians had been camped but a few days before, below San Carlos, Mex., on the Rio Grande,

the Indians being camped on both sides of the Rio Grande. They stated to me that the Indians had moved south into Mexico, in the direction of Colorado Peak, near the Sierra Carmel. I immediately left my camp on the Pecos, marched to the Rio Grande, and crossed at a point known as the lower point of the Sierra Pachona. I crossed the river on October 28, I think, and within 10 miles of the river we found where 2 Indians riding mules had passed about two weeks before, going toward the settlement in Texas. I continued on my course south, made a dry camp that night in a mountain pass, left camp the following morning before daylight, continued south, and about 12 o'clock in the day found three Indian trails. The first was that of an Indian village moving south, about three weeks old; the second was that of an Indian village moving northwest, about 7 days old; and the third was that of 7 horses and 2 mules, made the night before.

The following day, October 30, we took the trail which had been made about 24 hours before, followed it for three days, and came on an Indian village on the Texas side of the Rio Grande about 5 o'clock in the afternoon. The Indians discovered us about 3 miles distant, and commenced running off their herds of horses and cattle. The horses alone numbered, as we supposed, about 200. The Indians came down on our side of the river below their camp and attacked us as we were moving up to their camp a little before sundown. We checked them up at the time, and found that the country was so rough and broken that we could not get at them, the cliffs in places being about 1,000 feet high.

Not knowing the number of these Indians, I deemed it best for the safety of my command to leave the cañon of the Rio Grande, and I marched back about 7 or 8 miles, and went into camp in an open place about 1 o'clock at night. One packed mule with a pack fell over a bluff which was supposed to be 200 or 300 feet high. We crossed the Rio Grande 3 or 4 days afterward, and on reaching the Pecos River I sent two scouts with a letter to Colonel Shafter, or rather his acting assistant adjutant-general, at Fort Clark. On reaching the head of Devil's River, a few days later, I received instructions from Colonel Shafter directing me to camp at Pecan Springs, and to await the arrival of troops, which he had sent out under Captain Young, of the Eighth Cavalry, to whom I was ordered to report. That is the end of that expedition.

Captain Young left Pecan Springs about the 16th of the month, and I accompanied him. We followed the trail made by us, crossed the Rio Grande into Mexico, and reached the point where we had attacked the Indian village. We reached it on the 23d of the month, the trail then being twenty-three days old. The second day afterwards the trail crossed into Mexico. We followed it for some five or seven days, and surprised the Indians on the 29th of November (Thanksgiving day) in the Sierra Carmel. We killed two Indians, wounded three, captured about thirty head of horses and mules, and destroyed the village. This party of Indians was that of Alsate, a Mescalero Apache, whom I have mentioned before. He is called the most cunning Indian on all the frontier of Texas and Mexico, and that was the first time that he had ever been hit. He is about sixty years of age, and is as cunning as a fox. He always camps on the highest peaks, even if they are a mile or more in height. The reason he was so careless at that time was that the weather was extremely cold, so much so that the water in our canteens was frozen, and the canteens burst asunder. We recrossed the river a few days later, and arrived at Fort Clark on the 16th of December.

That is the last expedition that I have been on across the river. I think that I have enumerated them all.

Q. Were you not in some way connected with the raid which Captain McNally made?—A. No, sir; he was on the Lower Rio Grande and I was on the Upper.

Q. It was only on one occasion, then, that you encountered Mexican raiders and thieves?—A. Only on one occasion.

Q. Is this country where you have been making these raids inhabited by Mexicans?—A. No, sir; there is a space of country there about two hundred miles in extent in which no one but Indians lives.

Q. There are no civil authorities there?—A. No, sir.

Q. No Mexican authorities either to countenance the raids or to give aid to your forces?—A. No, sir; there is no one living in the country other than Indians. Even portions of it are unexplored. The Saragossa raid, the one from which so much trouble resulted in diplomatic circles, is the only one in which we were near settlements, with the exception of that of Colonel Mackenzie in 1873, which was near the town of Rimolino.

Q. What is the character of the population on the Texas side of the Rio Grande in that country?—A. They are a mixed population, mostly Americans; some few Mexicans.

Q. Are there a good many ranches along there?—A. There are none above the mouth of Devil's River. San Felipe is the upper settlement on the Rio Grande next to Fort Clark. From San Felipe on the Rio Grande there is but one settlement on the Texas side for five hundred miles.

Q. How far is San Felipe above Fort Clark?—A. Thirty miles, nearly west.

Q. At any time during your experience in that part of the country, did the Texas Rangers co-operate with you?—A. No, sir; they have never co-operated with the troops to my knowledge, more than this: There is a party of them numbering 20 stationed about 50 miles north from Fort Clark, at a deserted camp known as Camp Wood, on the Nueces River. They co-operate to this extent, that whenever Indians are known to be in the neighborhood, they inform the commanding officer at Fort Clark, and in one instance, I think, within the past year, they captured horses from Indians in Texas. I have never known them to cross the river.

Q. Do you know of any instance where our troops have aided the civil authorities in Texas in capturing thieves?—A. Yes, sir; I have not mentioned a number of instances in which I myself have helped.

Q. You may mention them.—A. The State of Texas was under martial law at the time, and of course the military authorities were supreme. In January, 1877, I accompanied the sheriff of Kinney County with 20 men to make arrests.

Q. Did he make the arrests?—A. No, sir; he was in pursuit of thieves who numbered about as many men as my command, which numbered about 20. The thieves heard of our coming and made good their escape, and subsequently most of them went to Colorado. They were murderers and horse-thieves.

Q. Were they Americans?—A. Mostly Americans, I think, and perhaps some few Mexicans were among them.

Q. Was there any other case of that sort?—A. I think there were other cases, but I do not recollect them just at present.

Q. When was the State of Texas under martial law?—A. Immediately after the rebellion.



Q. Have you been on the frontier from that time on to the present?—  
A. Yes, sir; I have been on the frontier ten or eleven years. I have not been out of the State of Texas excepting in Mexico from the time I went there in 1867 until the present time.

Q. What is the condition of things among the inhabitants of Texas in the vicinity of Fort Clark? Are property and life secure there, as they are in a well-organized country?—A. No, sir. Life and property are very insecure, but the country is settling up; many are coming in with capital. Some are engaged in the raising of goats, sheep, and cattle, but it is so insecure that many men with families will not venture there. For instance, I have already said that last September and October the Lipan Indians crossed over the Rio Grande, and in one raid there killed thirteen men and one woman, and it was said that that one raid caused 250 families to turn back, who were at the time *en route* to Western Texas to settle.

Q. What is the nature of the country there? What is it best adapted for?—A. Western Texas is best adapted for grazing, although in Kinney County alone, in which Fort Clark is situated, there are 20,000 acres under irrigation.

Q. Where the land is cultivated is irrigation necessary?—A. Yes, sir, generally; although there are low bottom-lands which produce in wet seasons very good crops.

Q. What kind of crops?—A. Principally corn and vegetables.

Q. Is it prairie land?—A. No, sir; there are some extensive prairies, but it is principally a rolling country.

Q. Is there timber on it?—A. There is very little timber in Western Texas; there is some timber on the streams, but Western Texas bordering on the Rio Grande, more particularly above the mouth of Devil's River, is quite rough and broken and well adapted for grazing. In fact, the Pecos River Valley is said to be as good a grazing country as any portion of the State.

Q. Can you give us some idea of the population to the square mile in that country for, say, 100 miles along the Rio Grande?—A. I know a portion of it where there is not a man within 100 miles; for instance, above the mouth of Devil's River.

Q. How is it immediately in the vicinity of Fort Clark?—A. It is settling up rapidly. Many are engaged in agriculture principally by irrigation. There are some stock-men in that locality.

Q. Where do these marauders steal their cattle?—A. In the settlements principally, between the Rio Grande and San Antonio. The valleys that are subject to these raids are the Frio, the Sabanal, the Hondo, the Leone, the Carisa, the Pendencia, and others which I do not call to mind.

Q. How do these Indians collect the cattle in Texas; in what number do they enter Texas, and what is their method of operations?—A. The Indians cross the Rio Grande in parties of from two up to thirty-five or forty. I think that I have never known more than thirty-five to cross at one time. They invariably come in on foot, wearing moccasins, although I have known one or two instances where they have brought in one horse carrying their packs. They work east from the Rio Grande through the rough, broken country, through cedar-breaks and through brush. During the day-time they hide or stay on the top of the highest peaks or mountains, and when the moon is nearly or quite full they come down. I have known them to gather up within one or two nights 200 head of horses. Then they put out, driving night and day, and cross the Rio Grande generally within four days and nights.

Q. They drive the cattle very rapidly?—A. Not cattle, but horses. They change from one horse to another. They ride bare-back. They have no saddles whatever. They take a piece of rawhide from cattle which they kill while on the Texan side, put a string of it over the head of a horse and pass a piece of wood through the horse's mouth for a bit, and use a strip of rawhide for a bridle-rein, and in this way they will travel from 60 to 80 miles in a day and night.

Q. Are those raids on the increase or on the decrease?—A. They are on the decrease, more particularly since the order was issued by the Executive to follow the raiders across the river into Mexico.

Q. Had Escobedo anything to do with those raids?—A. No, sir; I think not.

Q. What arm of the service is most efficient for preventing these raids?—A. Cavalry, except in a very rough, broken country. When operating in a very rough, broken country, horses are an impediment. For instance, in the last Indian fight that I mentioned, on the 29th of November, the troops dismounted, left their horses two miles back, and walked over a mountain nearly a mile in height and attacked the Indians on foot.

Q. Do you approve of the policy of having posts there, or would you patrol the Rio Grande? In other words, do you think that the method pursued by the Army there now is the best for preventing those raids?—A. I would be in favor of establishing more posts.

Q. Do you think there are any other posts necessary?—A. Yes, sir; I have often thought of it and have often heard it discussed that a post is necessary above San Felipe. There is an extent of country of 500 miles on this side without inhabitants in the entire district. There is but one very small settlement of a few houses opposite the Mexican town of Del Norte. Indians cross invariably above the mouth of Devil's River and pass through this uninhabited country making for the settlements. In fact, I have known them to steal within 25 miles of San Antonio within the last nine months.

Q. These Indians do not number very high?—A. No, sir.

Q. Would it be possible, if there were a sufficient force, to annihilate them entirely?—A. No, sir; they are too cunning. They can hide their families in the rocks and fastnesses of the mountains, and it is almost impossible to get at them. They have no regular villages whatever. They are broken up into small bands, and the country is so very rough and broken that it is very difficult, indeed, to strike them.

Q. The raids are principally made from this portion of Mexico that you speak of?—A. Yes, sir; the Indian raids are all made from this portion.

Q. You do not know that there are many Mexican raids made, do you?—A. No, sir; I know of a few instances of Mexicans crossing to this side of the river.

Q. Do you know what kind of Mexicans they were?—A. I know of Cortina's band crossing at the mouth of the Rio Grande, from hearsay, but know little of his raids. They have been less frequent within the past year.

By Mr. BRAGG:

Q. What regiments on the Texas frontier are white and what colored?—A. The Twenty-fourth and Twenty-fifth Regiments of Infantry and the Ninth and Tenth Regiments of Cavalry are colored; all the rest are white.

Q. Tell us, from your experience, whether the civil authorities in

Texas have used all of the civil power at their command to protect the property of their citizens, or whether they are in the habit of simply calling on the United States to discharge their police duties.—A. I think that the civil authorities in Texas have done all that they could to protect the property and lives of the citizens. They have a good deal to contend against there. Bloodshed is frequent. But invariably, when raids are made from the other side, the authorities call upon the military.

Q. Are the bands which come into Texas of such size and proportions and so armed as to overawe the civil authorities?—A. The bands that come into Texas are quite small, and the civil authorities, or even the citizens themselves, could join together and drive them back, but it is difficult to find these bands, the country being so extensive.

Q. Then the necessity for Federal troops arises from the difficulty of finding the raiding parties, rather than from the want of force necessary to be employed in preventing the commission of the offenses?—A. Yes, sir; on account of the country being so extensive and so varied. As I have said, there is a portion of country above the mouth of Devil's River, extending four hundred miles and upward, in which there is but one settlement, and that, I suppose, does not number twenty men.

Q. But still the State of Texas has a large population, has it not?—A. No, sir; very small indeed.

Q. About what population does the census show Texas to have?—A. I think that Texas now has more than a million. I think that in the last census it numbered about nine hundred thousand, but the population has increased rapidly within the past few years. In fact, it is stated that last year the increase was three hundred and fifty thousand.

Q. There is a village grown up at Fort Clark, is there not?—A. A small village.

Q. What is it called?—A. Brackettville.

Q. What population has it?—A. About four hundred.

Q. In what business and occupations are the people engaged?—A. Some are merchants, some stock-raisers, and there are a great many gamblers.

Q. They thrive on the business made by the establishment and maintenance of a military post at that place?—A. Principally, in that village.

Q. Wherever a military post is established it furnishes a market for the surrounding country?—A. Yes, sir.

Q. And for that reason it is considered a great benefit to have troops stationed there?—A. It is.

Q. And a large increase of military force in Western Texas would add largely to the sources of wealth and prosperity of the people in that country?—A. Undoubtedly.

Q. It would furnish them markets?—A. Yes, sir.

Q. And a cheap and easy way to get rich?—A. Yes, sir.

Q. I see by a letter which I have been reading that at some time a fight took place at the mouth of Sycamore Creek between Colonel Shafter's troops and Mexicans?—A. Yes, sir.

Q. Has that been described by you?—A. Not by me. I know nothing of it.

Q. When did that fight take place?—A. I think in April last.

Q. Was it on the American soil?—A. I think that the American troops were encamped at the time on our side of the Rio Grande. The Mexicans came down under a noted thief and murderer, against whom

there are many indictments in Texas, by the name of Areolo, and fired upon our troops in the morning.

Q. Did an engagement ensue?—A. I think our troops returned the fire. No one was hurt, to my knowledge.

Q. Did the troops use the Gatling gun?—A. No, sir.

Q. Who was in command of our troops?—A. I think a sergeant. I do not know positively.

Q. Who is Captain Kelley?—A. A captain of the Tenth Cavalry, stationed at San Felipe.

Q. Has he command of that post?—A. Yes, sir.

Q. Was he at Sycamore?—A. I think not.

Q. Does he, from his post, make raids into Mexico?—A. I think he has crossed, or detachments of his company, in two instances.

Q. He is considered as among that class of officers on the frontier (if there be such a class) who are anxious for active work?—A. I would rather not answer that question. He is my superior officer.

Q. Are you in the Tenth Cavalry?—A. No, sir; I belong to the infantry.

Q. Captain Kelley is an intimate friend of Colonel Shafter's, is he not?—A. He is an officer under Colonel Shafter's command. I cannot say as to their intimacy.

Q. Is he not one in whom Colonel Shafter reposes a good deal of trust and confidence?—A. If I answered that question I might criticise my superior officer.

Q. Do you not know that the persons who are interested, or are supposed to be interested in having a representation presented to this government of a condition of affairs there which might induce a crossing of the border in force, have requested or desired that Captain Kelley should be sent for so that he should present his views, he being a man favoring such an interest?—A. No, sir; I do not.

Q. I want to know if there is a distinction among the officers on the frontier into two classes, one of which is in favor of active work and the other not in favor of it?—A. There are many officers of the Army on the frontier of Texas who are desirous of leading an active life. In fact, the more opportunities there are of following raiders to the opposite side, the better they are pleased. And there is also a class of officers, I must say, who are not in favor of crossing the Rio Grande, and who take much more pleasure in lying in garrison and doing garrison duty than in being in the field.

Q. Is it not true that that class of officers of the Army on that frontier who so thirst for active duty and for opportunities to pursue raiders, would gladly avail themselves of an opportunity where they could cross without any regard to raiders and engage hostile troops?—A. No, sir. My belief is (and I have been on the frontier upward of ten years) that there are no officers there who desire to bring on a conflict of arms without just cause.

Q. I do not suppose so; but what might seem just cause to one might not to another.—A. Certainly.

Q. And an officer who thirsts for glory would scarcely be willing to remain satisfied with the pursuit of a few vagabond Lipans when he might get the opportunity to engage a respectable force and achieve a victory?—A. Certainly; of course there are those that have ambition.

Q. You have such men, I suppose, in the Army on the frontier?—A. No, sir; I cannot say that there is any officer on the frontier who desires a conflict between the two nations without just cause, although there

are those stationed on the frontier who are ambitious and who would like to have a good field to work in.

By Mr. MARSH:

Q. How far from Piedras Negras are these 225 Indians?—A. The nearest party of Indians to Piedras Negras is that of Washa Lobo, distant about 35 or 40 miles. The other tribes reside from within 60 to 200 miles.

Q. How many of them reside within 60 miles of Piedras Negras?—A. Principally the Lipans, not to exceed 30. They are encamped mostly near Saragossa.

Q. Do they recognize the authority of the Mexican Government?—A. Not in the least, to my knowledge.

Q. Those who are camped so near to Saragossa, do they recognize the civil authorities?—A. Not at all. They trade with the people constantly.

Q. Is there any effort made on the part of the Mexican authorities to prevent these Indians stealing stock?—A. Not in the least. Extradition papers were sent over last summer for Indians who were encamped within a few miles of the town of Saragossa, but no attention whatever was paid to them.

Q. Is the trade in the property stolen by Indians encouraged by the Mexicans?—A. It is greatly encouraged. The Mexican authorities could capture or kill all of the Lipans within a week if they so desired.

Q. Do the Indians there shun the Mexican authorities as if they were afraid of them?—A. Not the least.

Q. Do they shun them as they do the American authorities?—A. Not at all. The Indians pass in and out of the town whenever they wish. When I made the attack on them on the 29th of October there were 14 of the Indian men drunk in the town of Saragossa.

Q. And how many were sober outside in camp?—A. About half of the men were in camp, and some of those who were in camp were drunk also. One of them, a noted thief and murderer, was given a close chase, but he succeeded in escaping.

Q. And the Indians have no fear of arrest from the Mexican authorities?—A. Not the least. I have known the Indians to take 150 head of horses from the American side and camp within a mile of a Mexican town—the city of Newtown, for instance—which is on the Rio Grande, about 40 miles above Piedras Negras.

Q. Do you know how many regular troops are stationed now at Saragossa?—A. I do not. I do not know that there are any.

Q. Have you ever known any effort on the part of the Mexican authorities, civil or military, to return stolen property?—A. I have not; but, to the contrary, I have heard American citizens say that they have been to the town of Saragossa and have seen Indians riding their horses and having them there for barter—the horses having their brands upon them—and that they have called upon the alcalde to have the horses turned over to them, and that he has positively refused to do so.

Q. Is the trade on the part of the Indians with Mexico in this property stolen from Texas a considerable trade?—A. It is a great trade.

Q. Where do the Indians dispose of the horses and cattle which they steal?—A. In Newtown, Saragossa, Rimolino, San Carlos, Del Norte, and Santa Rosa.

Q. Where is Del Norte?—A. Del Norte is 250 miles northwest of Piedras Negras. San Carlos is 50 miles below Del Norte, and 18 miles from the Rio Grande and about 200 miles from Piedras Negras.



Q. Where is Rimolino?—A. Rimolino is about 30 or 35 miles from the Rio Grande—about 35 miles northwest of Piedras Negras.

Q. And those are the towns where the Indians dispose of this stolen property?—A. Yes, sir.

Q. Do I understand you to say that the people and authorities there encourage them in that trade?—A. They do, most assuredly.

Q. And that, if the authorities were so disposed they could very readily put a stop to these raids?—A. They could do it very readily.

Q. From your experience on that border, do you know of any other way to suppress these stealings than by following the Indians into Mexican territory?—A. I do not, except, perhaps, holding the Mexican Government responsible.

By the CHAIRMAN:

Q. Do you think that if we had possession of that country on the opposite side of the Rio Grande we could put a stop to these robberies?—A. We could do this much: We could cause these Indians to move farther back into the mountain-passes of the Sierra Madre or some other of the ranges to the west—farther from civilization.

Q. How long have you been on that frontier?—A. Upward of ten years.

Q. Has the American population increased or decreased on that frontier since you have been there?—A. It is increasing rapidly.

Q. Have these raids caused any portion of the country there to be abandoned?—A. Yes, sir; for instance, the Frio and Sabanal Valleys. They are a very good farming and stock country, and I have heard Texans remark that they would not venture to live there with their families, in a country so subject to raids and where life and property are so insecure.

Q. Have the lands there ever been occupied?—A. No, sir; but few citizens have moved in, and many have left shortly after settling. Many houses can be found there which have been abandoned.

Q. Were they built when the troops were stationed at those points?—A. No troops have ever been stationed permanently in these valleys. Troops have been stationed to the west. In April and May, 1876, the Lipans crossed over and killed twelve men, and in September and October of the same year they crossed over and killed thirteen men and one woman.

Q. And these raids have caused these grounds to be abandoned?—A. Certain portions have been abandoned. Other frontiersmen, more venturesome, have held on, and some have been killed, and those that are there now are constantly losing their stock, more particularly horses.

Q. If it were not for those Indian raids, would life be secure on that frontier?—A. I think so—quite secure; although it is a new country and many desperate men and many criminals from justice flee there. The class of people who come in there at times is very bad. Many flee across into Mexico and reside on the Mexican side and try to avoid the extradition laws.

Q. Aside from those Indian raids, you think that the Texas Government would be able to keep good order on that frontier?—A. Yes, sir. The presence of troops, however, is very necessary there.

Q. Have raids been as frequent during the last year as they have been in previous years?—A. No, sir; much less frequent; more particularly since the order was issued by the Executive to follow raiders over the river. In fact, since the first of July, there have been very few raids on this side—very few indeed.

Q. Were there not comparatively few raids previous to July?—A. They were constantly raiding.

Q. Do you think that more troops are needed on that frontier than are there now?—A. I know the frontier well, from the mouth of the Rio Grande to New Mexico, but that is a question which I am not competent to answer. There is such a vast country uninhabited, from the mouth of Devil's River to the El Paso Valley, that some posts seem necessary. In fact, if a post were built 125 or 175 miles above Fort Duncan, it would have a great tendency to stop the raiding of Indians.

Q. You have given the number of those Indian tribes that do the raiding, making them all less than three hundred men?—A. My belief is that they do not exceed two hundred and twenty-five men, although I think that at times Indians from the Western part of Mexico—from Chihuahua for instance—come into Texas and steal. For instance, in June, 1875, during one month, the Indians carried off from Texas upward of a thousand head of horses. I found a series of trails that covered a distance of 3 miles in the same month.

Q. There are now over four thousand troops on that frontier. Do you not think that that is enough of an army to protect that frontier from all the Indian raids?—A. I should think so. It would appear to me that that number of troops ought to be sufficient. It depends, however, on what the orders are relative to following raiders. If we can cross the river in pursuit of them, the raids can be prevented to a great extent.

Q. Do you think that if we could cross the river in pursuit of them, four thousand troops would be necessary to put down that number of Indians?—A. The Indians can come in and steal. They come in during the dark of the moon and work on through the cedar-brakes toward the settlements, and you might place all the troops in the Army on the frontier and it would be very difficult to entirely prevent the Indians doing this, more particularly if we are not allowed to follow them to their homes on the Mexican shore.

Q. If you are prevented from following them to their homes on the Mexican side, you do not think that any number of troops can prevent these thieves?—A. No, sir; the Indians will come in and steal in spite of the troops.

Q. And it is almost impossible to capture them in this mountainous region that they flee to?—A. It is very difficult, indeed.

Q. You say that these Indians are on such friendly terms with the Mexican authorities that you think the Mexican authorities could capture the Indians if they wished to?—A. Most assuredly. I have known the Indians to live in the suburbs of the town of Saragossa. Last year four different bands were living in San Carlos, an Indian town near the Rio Grande.

Q. Do the Indians depredate any on the Mexican people?—A. Very seldom. They depredate principally on our side of the Rio Grande, although I can cite instances where they have robbed and murdered Mexicans. But, in doing so, they work well back from where they live—three or four hundred miles, for instance, into Mexico—and the Mexicans never know positively what Indians do the depredations. In the State of Chihuahua there are a great many Indians living. It is a rough, broken country, and the Apaches are very numerous there.

Q. Is not the good treatment which the Indians receive from the Mexicans more a matter of necessity on the part of the Mexicans and for their own safety?—A. No, sir; the governor of the State of Chihuahua has a standing offer of \$200 for every scalp of an Indian man presented, and \$100 for the scalp of every woman and child.

Q. Then he is doing his best to put an end to these troubles?—A. The governor of the State of Chihuahua is, because the people there suffer terribly from depredations committed by the Indians; but in the State of Coahuila, lying south, they are not so much troubled by Indians, and in fact many Mexicans are living in that State who make a good livelihood from trading with the Indians, and it is therefore not their interest to have the Indians subdued. Saragossa and Piedras Negras and Rimolino are in the State of Coahuila.

Q. Were you with the command which went to Piedras Negras for the purpose of releasing two men who were imprisoned there?—A. No, sir; I was encamped at that time above the mouth of Devil's River on the Rio Grande.

Adjourned.

JOHN L. BULLIS,  
*First Lieutenant, Twenty-fourth Infantry.*

The following correspondence was ordered to be printed in the testimony :

*Mr. Wilson to Mr. Fish.*

No. 243.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 22, 1876. (Received August 7.)*

SIR: I have the honor to transmit herewith copies of correspondence which have passed between Charles A. McLane and William Scanlan, a committee on behalf of the community of Brownsville, and General Revueltaz, military commander of this city, and myself, in regard to the alleged kidnaping of three persons near Brownsville, Tex., by a party of armed men from Mexico. As it was feared that these persons would be summarily shot, and there was considerable excitement in Brownsville in regard to the affair, I requested General Revueltaz not to allow any harm to befall the men until the manner of their apprehension could be ascertained, as I understood that the governor of Texas had asked the intervention of the government on the ground that the sovereignty of the United States had been violated in the affair. I informed you by telegraph of what I understood were the facts of the case.

\* \* \* \* \*

I am, &c.,

THOMAS F. WILSON.

[Inclosure 1 in No. 243.]

*Messrs. McLane and Scanlan to Mr. Wilson.*

BROWNSVILLE, July 16, 1876—10 o'clock p. m.

SIR: We have the honor to inform you that it became known this afternoon in this city that a party of armed Mexicans, said to be policemen of Matamoras, crossed into Texas at the public ferry between this place and Matamoras, at the unusual hour of two o'clock in the morning, and proceeded some three miles above here and kidnaped three Mexicans, who had taken refuge on the American side of the river, named Marcos Lopez, Candelario Jacindo, and Pedro Basquez, from the house of Jesus Lizardo, and forcibly crossed them from the Texas side across the river into Mexico, where they are now in the Matamoras prison. It is feared that they will be summarily dealt with by the military commander of Matamoras. As there is reason to believe that the territory of the United States has been unlawfully invaded by these armed Mexicans in the night time, and the persons named have been kidnaped and forcibly carried away, in

violation of all law or semblance of law governing our national territory and the sacredness of its soil from invasion, whether in time of war or peace, a large and enthusiastic meeting of the respectable citizens of Brownsville was speedily convened to take measures for ascertaining the bottom facts of the case, and at said meeting the undersigned were appointed a committee of conference to wait on you and request you to present this matter to the military commander of the Mexican forces in Matamoras, and demand the return of the three persons believed to have been kidnaped as above stated in the United States territory, or in lieu thereof to at least suspend all or any action whatever on the part of the Mexican military commander at Matamoras with regard to said three persons.

Respectfully,

CHAS. H. McLANE,  
*County Attorney, Cameron County,*  
WILLIAM SCANLAN, *Sheriff,*  
*Committee.*

[Inclosure 2 in No. 243.]

*Mr. Wilson to General Revueltez.*

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 16, 1876—11 o'clock p. m.*

SIR: The sheriff and prosecuting attorney of Cameron County, Texas, have just called at this consulate in regard to the supposed kidnaping of three men a few miles above Brownsville by a party of armed men from Mexico. The facts of the case, as understood, are set forth in the inclosed communication addressed to me by the gentlemen in behalf of the citizens of Brownsville. At their instance and request, I have to call your particular attention to the statements contained in their communication, and in view of the gravity of the issues which might arise, should it be found that their statements are correct, I have to respectfully and urgently ask you not to permit any harm to befall these men, who are imprisoned in this city, and to allow ample time to ascertain the actual circumstances under which they were brought to this side of the river. In this request I am joined by Lieutenant-Commander Johnson, commanding the naval forces of the United States in the Rio Grande, to whom the gentlemen named have applied for his good offices in the premises.

With the assurance of my regard and esteem,

I am, &c.,

THOMAS F. WILSON,  
*Consul.*

[Inclosure 3 in No. 243.]

*General Revueltez to Mr. Wilson.*

I have just received your communication of the 16th instant, it being now forty-one minutes past one o'clock, and in reply, I have the honor to state that I shall at once ask the local authorities for information concerning the act of which you complain. This I shall do with the view of ascertaining whether the armed parties in question, styling themselves police, crossed by order of the aforesaid authorities, and without any legal requisition. No soldiers of the Mexican army have been authorized to cross to American territory. When I shall have received this information I will reply in detail to your communication.

I offer you the assurances of my distinguished esteem and consideration.

Independence and liberty.

H. Matamoras, July 17, 1876.

I. REVUELTEZ.

To the UNITED STATES, CONSUL at Matamoras.

[Inclosure 4 in No. 243.]

*Mr. Wilson to Messrs. McLane and Scanlan.*

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 17, 1876.*

GENTLEMEN: I have to transmit herewith a copy of a letter received this morning at 3 o'clock a. m., from General Revueltez, in regard to the three men referred to in

your communication to me last night, as having been kidnaped in Texas and brought to this city by armed Mexicans. You will see that General Revueltez promises to investigate the matter, and advise me of the result. As soon as I am in possession of any further facts on the subject I will transmit them to you without delay.

I am, &c.,

THOMAS F. WILSON.

[Inclosure 5 in No. 243.]

*Mr. Wilson to General Revueltez.*

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 20, 1876.*

SIR: I have the honor to acknowledge the receipt of your letter of to-day, in which you transmit a statement in regard to the three persons alleged to have been kidnaped on Texas soil by armed men from Mexico and delivered to the authorities of this city, and in which it is charged that they are criminals, and claimed that permission had been previously obtained from Mr. Klahn, county judge, of Cameron County, Texas, to pass the armed men across the territory of Texas, to enable them to arrest these men on Mexican soil, which the action of the river had left on the Texas side.

I understand that the governor of the State of Texas has brought all the facts in connection with this affair to the notice of the Government in the United States, and pending the inquiry which will doubtless be instituted in relation thereto, I have again to respectfully request you not to permit any harm to befall these men until the manner of their apprehension is determined. I have no doubt that this will be accomplished speedily, and satisfactorily, without unnecessarily impeding the demands of justice, should it be found that their arrest was not in violation of the sovereignty of the United States of America.

I am, &c.,

THOMAS F. WILSON.

[Inclosure 6 in No. 243.]

As I promised you in my note of the 17th instant, I asked the local authorities for information relative to the case of which you were pleased to complain. Their report is as follows:

"In reply to your esteemed note of this day, I inclose in three copies, marked 1, 2, and 3, the communications exchanged between the vice-consulate of Mexico at Brownsville and this presidency. These are the only antecedents relative to the apprehension of the bandits Marcos Lopez, Candelario Jaimes, and Pedro Bosques. These persons are now under arrest, and subject to the orders of the citizen judge of first instance of this district; they will speedily be prosecuted, as you will see by copy No. 4, which I also have the honor to inclose, and which clearly shows with what great crimes they are charged.

"Independence and liberty.

"H. Matamoras, July 17, 1876.

"P. J. GARCIA."

I have the honor to transcribe to you the foregoing, inclosing the copies referred to, in reply to your notes on the subject.

Independence and liberty.

H. Matamoras, July 20, 1876.

I. REVUELTAS.

To the UNITED STATES CONSUL at *Matamoras, present.*

[Inclosure 7 in No. 243.]

No. 1.

It has come to my knowledge at the Banco, opposite the ranch called "Tia Morales" (in Mexican territory), there exists a band of thieves who are constantly occupied in the business of stealing cattle from both sides of the Rio Bravo. These rascals are also considered by public opinion as the murderers of certain cartmen, and as the robbers of trains and merchandise near Reynosa. The names of these criminals are Candelario



Jaimes, Marcos Lopez, and Timoteo Hernandez. For their apprehension, as well as for that of the other suspected parties, it will be necessary to obtain the permission of the proper authorities in that town, so that the parties who complain of them, and who know them, may cross to that State at the Santa Cruz public crossing, and proceed to their apprehension.

Independence and liberty.

H. Matamoras, July 15, 1876.

PEDRO J. GARCIA

To the VICE-CONSUL OF MEXICO at *Brownsville*.

No. 2.

VICE-CONSULATE OF MEXICO,  
*Brownsville, Tex., July 15, 1876.*

I have received your note of this day's date, in which you inform me that you have learned that at the "Banco," opposite the ranch called Tia Morales, in Mexican territory, there exists a band of thieves who busy themselves in stealing cattle on both sides of the Rio Bravo, and that said thieves are considered by public opinion as the murderers of certain cartmen, and as the robbers of trains and merchandise near Reynosa; that the names of these criminals are Candelario Jaimes, Marcos Lopez, and Timoteo Hernandez; that for their apprehension, as well as for that of the other suspected parties who are there, it is necessary to obtain permission from the authorities of this town, in order that the parties who complain, who know the aforesaid criminals, may cross to this State at the Santa Cruz public crossing, and proceed to their apprehension. In reply I have to inform you that immediately on receiving your aforesaid note, I called upon the county judge, E. Klahn, informing him of your wishes; the judge, on being thoroughly informed of the whole matter, granted me permission in order that the citizens who are to apprehend the said thieves for punishment might cross at the public crossing of Santa Cruz.

I have the honor to communicate to you the foregoing, that you may make suitable arrangements for the crossing of the citizens who are to effect the proposed apprehension.

I reiterate to you the assurances of my esteem and consideration.

CASIMIRO CASTRO.

To the CITIZEN PRESIDENT of the *Municipal Board of Matamoras*.

No. 3.

I have received your esteemed note of yesterday, in which you inform me that you have obtained permission from the county judge, E. Klahn, for the crossing, at Santa Cruz, of the citizens who are to apprehend the bandits Candelario Jaimes, Marcos Lopez, and Timoteo Hernandez. I will to-day give orders for the crossing of the citizens who complain, referred to in the aforesaid note, that they may effect the apprehension in question.

Independence and liberty.

H. Matamoras, July 16, 1876.

PEDRO J. GARCIA.

To the VICE-CONSUL OF MEXICO at *Brownsville*.

No. 4.

I place at your disposal the criminals, Candelario Jaimes, Marcos Lopez, and Pedro Bosques, who were captured at the "Banco," in Mexican territory, on the 16th instant, and who are charged with the following crimes:

1. Having taken part in the murder of certain cartmen, near Reynosa, causing to disappear the loads, the carts, the mules, and even every trace of their existence.
2. With having treacherously assassinated Manuel Posas (Rosas?).
3. They are considered by public opinion as having been accomplices in the greater part of the crimes and robberies that have been committed for some years past near the ranch where they were captured. As public opinion demands that these charges be speedily substantiated or refuted, I urge you to proceed with the promptness which the case demands, and to investigate the facts with all possible minuteness.

Independence and liberty.

H. Matamoras, July 17, 1876.

PEDRO J. GARCIA.

To the JUDGE OF FIRST INSTANCE of *this district, present*.

A correct copy. H. Matamoras, July 20, 1876.

MANUEL P. REYES,  
*Secretary.*

I have received your note, bearing date of the 20th instant, in which you inform me that the governor of Texas must already have reported to the United States Government all the facts in connection with the matter which now claims our attention.

In reply to your request that I will prevent any harm from happening to the criminals captured at the "Banco," I have the honor to inform you that the competent judicial authorities are now preparing to try the prisoners in accordance with legal forms, and any intervention on my part would, therefore, be in violation of law.

I reiterate to you the most sincere assurances of my consideration and respect.

Independence and liberty.

H. Matamoras, July 22, 1876.

I. REVUELTAS.

To the UNITED STATES CONSUL at *Matamoras, present.*

[Inclosure 8, No. 243.]

[Telegram.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 17, 1876.*

Hon. HAMILTON FISH,  
*Secretary of State, Washington:*

Committee from a meeting of citizens of Brownsville called on me at eleven o'clock last night in regard to alleged crossing of armed men at Brownsville ferry, and kidnaping three persons near there who had taken refuge on the Texas-side, and delivering them to military authorities here, who, it was feared, would summarily shoot them. I addressed a note to General Revueltas, asking that the persons should not be harmed until the manner of their apprehension could be ascertained. He replied that he would investigate the matter. It is understood that Mexicans claim that they were captured on Mexican soil, though on the Texas side of the Rio Grande, and that they have an understanding with General Ord, through Lieutenant-Colonel Devin, commanding Fort Brown, to pass armed parties of Mexicans into Texas to pursue criminals. There is considerable excitement in Brownsville, and if the understanding exists to allow armed Mexicans to cross into Texas, State authorities will not submit, and armed conflicts will doubtless occur.

THOMAS F. WILSON.

*Mr. Wilson to Mr. Hunter.*

No. 263.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, December 5, 1876. (Received January 3, 1877.)*

SIR: I have to transmit herewith a copy of a communication from General John N. Cortina, commanding the forces besieging this city, stating that he is about to commence actual operations to effect its capture, and saying that the interests of foreign residents will be subject only to the incidents of war, and assuring me that persons and property shall enjoy all the guarantees that modern civilization can require from any belligerent.

As there seemed to be no necessity for acknowledging this letter, I have not done so. I have, however, transmitted a copy of it to Lieutenant-Commander Johnson, of the gunboat Rio Bravo, for his information.

\* \* \* \* \*

I am, &c.

THOMAS F. WILSON.

*Mr. Wilson to Mr. Hunter.*

No. 264.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, December 18, 1876. (Received January 7, 1877.)*

SIR: I have the honor to acknowledge the receipt of the telegram from the department of to-day in reply to my telegram of the 16th instant,

from the tenor of which it would appear that I was understood by the department as having recommended that Lieutenant-Commander Johnson, of the gunboat Rio Bravo, should be instructed to commit an act of war to resist the collection of the tax of 3 per cent. supposed to have been illegally imposed by General Revueltas.

As my telegram may not have reached the department correctly, and to explain what I actually did mean, I have to transmit herewith a copy of it, in the last paragraph of which I "request that Lieutenant-Commander Johnson be instructed to co-operate with me in interposing in behalf of citizens of the United States in regard to this tax."

At the time of imposing this tax it was generally believed that the government of President Lerdo had been overthrown, of which I advised the department by telegraph on the 9th instant, and that in addition to the tax being regarded as illegal, it was presumed that General Revueltas was acting solely on his individual responsibility, and that whatever government succeeded to the administration of affairs in Mexico would disavow his acts, and leave those from whom the tax had been exacted without any recourse whatever. This course having been pursued by the Mexican Government so frequently before, and as General Revueltas claimed to have the right to impose a tax of 100 per cent. if his necessities required it, and there being no probability of his paying any attention whatever to a protest, citizens of the United States interested therein desired me to represent the matter to the Department of State, by telegraph, with a view of obtaining some measure of relief.

After stating the case as concisely as possible in the telegram, its limits did not appear to allow me to express the measures of co-operation and interposition which Lieutenant-Commander Johnson might perhaps have been authorized to adopt, by my asking that he might be instructed to call with me on General Revueltas and inform him that the matter had been brought to the notice of the Department of State at the instance of those interested, and that the question was deemed of sufficient importance to request that the forcible collection of the tax from citizens of the United States be suspended until the question of its legality could be satisfactorily determined.

General Revueltas being in need of the sympathy and moral support of the United States authorities, he would doubtless have felt the necessity of acquiescing in an intimation of this kind if it came direct from Washington through the naval and consular officers stationed here.

While Lieutenant-Commander Johnson and myself have acted in the fullest accord since the vessel under his command came to this port, and he concurred in the view that, under the ninth article of the treaty of 1831 between the United States and Mexico, the tax should have been imposed on the citizens of the State at large to make it legal, yet he did not feel that it would be of any use to personally interpose without instructions on the subject. In fact, we were both satisfied that our joint action could only be effective by being based on some special instructions. I had personally called on General Revueltas and endeavored to arrange the matter with him, without avail, before referring it to the Department of State by telegraph. Not anticipating that my request might be understood as recommending an act of war to resist the collection of this tax, I regret that I did not make myself as clear as I perhaps would have done had I not been confined to the necessarily restricted limits of a telegram.

I am, &c.,

THOS. F. WILSON.

*Mr. Wilson to Mr. Hunter.*

No. 279.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, April 10, 1877. (Received April 23.)*

SIR: Referring to my dispatch No. 273, of the 28th of February last, in regard to the arrest and trial of General John N. Cortina, I have now to state that the military court before which he was arraigned found him guilty, and he was sentenced to death under the law of the State of Tamaulipas, and the finding of the court was referred to the governor of the State for his action thereon.

In the mean time General Diaz, the acting President of the republic, sent the Mexican war steamer Independencia to the mouth of the Rio Grande with an order requiring that Cortina should be placed at the disposal of the general government, which was complied with by General Canales, who had Cortina arrested and tried, and Cortina was placed on the Independencia yesterday and left for Vera Cruz, where it is understood he will be confined in the castle of San Juan de Ulua.

Should Cortina again voluntarily return to this frontier, he will be liable to be executed by virtue of the State law under which he was found guilty and sentenced to death.

I am, &c.,

THOMAS F. WILSON.

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*Mr. Wilson to Mr. Hunter.*

No. 81.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, March 29, 1872. (Received April 11.)*

SIR: I have to transmit herewith a copy of a letter from the commercial agent at Guerrero, containing information in regard to certain parties who have a camp on the bank of the Rio Grande, at Lopena ranch, in Zapata County, Texas, from whence they make hostile incursions into Mexico.

The United States district court being in session at Brownsville at the time I received this communication, I handed it to the United States district attorney, who caused Juan Munos, the leader, and several others of the party, to be indicted, and *capiases* issued for their arrest, which have not as yet been executed.

On the 24th instant I am informed that Munos and his party made a raid from their camp in Texas on Nuevo Laredo, Mexico, and were defeated by the revolutionists who occupied that town.

I have also to transmit an editorial, cut from the *Fronterezza* of the 27th instant, which alleges that José Maria Garcia, with the assistance of various others, including United States officials, had organized a party at Laredo, Tex., to assist the revolutionists in Mexico. The *Fronterezza* is the government organ in this city, and the editorial referred to is a reply to an article which appeared in the *Brownsville, Tex., Ranchero* of the 24th instant, which asserted that Munos's band was using the soil of Texas to carry on war in the interest of President Juarez.

From all I can learn I am satisfied that both the friends of President Juarez and the revolutionists are using the territory of the United States along the Lower Rio Grande Valley from whence to invade Mexico in the interests of their respective parties, and that it is more than probable that the inhabitants of the Mexican towns on the border will en-

deavor hereafter to make reclamation on the United States Government for these depredations.

I therefore deem it my duty to lay before the department such information as I have on the subject.

I am, sir,

THOMAS F. WILSON.

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[Inclosure 1 in No. 81.]

*Mr. Winslow to Mr. Wilson.*

COMMERCIAL AGENCY UNITED STATES,  
*Guerrero, Mexico, March 14, 1872.*

SIR: I have the honor to inform you that for the month past an armed party of Mexicans, consisting of fifty men, belonging to Cortinas's party, have been stationed at Lopena, Zapata County, Tex. They are making this a stand-point from which to sally forth and make their raids into Mexico against the opposite party, and to attack the towns and ranches on the Mexican border.

On two occasions, parties of them have entered into Guerrero, and laid prestimos on the city, and then returned to their stronghold in the United States territory. At any moment they are liable to do damage on the Texas side of the Rio Grande, and under all circumstances the presence of an armed force of Mexicans is undesirable, creating distrust and alarm, and contrary to the good feeling existing between the two nations.

Likewise the fact that this party is allowed to remain on the United States territory has given an impression to the opposite party that some protection has been afforded to them by the United States Government.

I bring these facts to your notice as my superior officer, that you may take the action you think necessary in the matter.

I am, &c.,

CHARLES WINSLOW,  
*Commercial Agent, U. S. A.*

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*Mr. Wilson to Mr. Hunter.*

No. 169.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, June 25, 1874. (Received July 25.)*

SIR: I have to transmit herewith a copy of the Brownsville Sentinel of the 12th instant, the Texas Democratic organ on the Lower Rio Grande, containing several articles advising the citizens of the Texas border to organize into military companies and suppress marauding on this frontier. All the Democratic newspapers of Western Texas have recently contained similar articles.

\* \* \* \* \*  
Such military organizations, in connection with whatever excitement may be created on the subject, will be undoubtedly used to carry the coming Congressional elections in Texas in favor of the Democracy.

I have also to transmit herewith a copy of the Brownsville Ranchero, the Republican organ, containing an article on the subject deprecating the movement.

In view of the probable complications which might grow out of an invasion of Mexico in this way, I have deemed it proper to lay the matter before the department for its consideration.

I am, sir,

THOS. F. WILSON.



*Mr. Wilson to Mr. Fish.*

No. 211.] CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, November 19, 1875. (Received December 8.)

SIR: Yesterday afternoon it became known in this city that Colonel Potter, commanding Fort Brown, Texas, had addressed a letter to Colonel José L. Cristo, the military commander of this city, stating that a detachment of United States cavalry had followed a party of cattle-thieves, with a large herd of stolen cattle, to the Rio Grande, opposite Las Cuevas, Mexico, in the afternoon of the 17th instant, and that the officer in command had made a demand on the authorities of Las Cuevas for the return of the cattle and the surrender of the thieves, and if the demand was not complied with that the troops would cross into Mexico.

I afterward learned that two companies of cavalry were sent out from Fort Brown yesterday to support the force in front of Las Cuevas.

I was also informed this morning that a company of Texas Rangers under Captain McNally had crossed into Mexico at Las Cuevas last night, and that fighting had occurred.

Las Cuevas being near Camargo, I telegraphed to Mr. Avery, the commercial agent at that place (a copy of which is herewith transmitted), asking him if United States troops had crossed, or if fighting had occurred. A copy of Mr. Avery's reply is herewith transmitted, in which he states that it is certain that United States troops or Texans had passed, and that fighting had occurred.

Whereupon I informed you of these facts by telegraph (copy herewith transmitted), and stated that I believed that United States troops were *menacing* Las Cuevas, and that if they crossed, the Mexicans would resist and a conflict be precipitated. As soon as I am able to ascertain the particulars of this affair I will inform you of them.

I am, &c.,

THOMAS F. WILSON.

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[Inclosure 1 in No. 211.]

[By telegraph.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, November 19, 1875.

L. AVERY, Esq.,  
Commercial Agent of the United States, Camargo, Mexico:

Have any United States troops crossed, or has fighting occurred?

THOMAS F. WILSON.

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[Inclosure 2 in No. 211.]

[By telegraph.]

UNITED STATES COMMERCIAL AGENCY,  
Camargo, November 19, 1875.

THOMAS F. WILSON,  
United States Consul, Matamoras, Mexico:

Courier arrived from Las Cuevas this morning. Fighting had occurred there. It is certain that United States troops, or citizens from Texas, have passed. Great excitement here.

L. AVERY.

[Inclosure 3 in No. 211.]

[By telegraph.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, November 19, 1875.*Hon. HAMILTON FISH,  
*Secretary of State, Washington :*

Avery telegraphs from Camargo : "Courier arrived from Las Cuevas this morning. Fighting had occurred there. It is certain that United States troops, or citizens from Texas, have passed. Great excitement here."

I believe that Texans have crossed, and United States troops are menacing Las Cuevas. If troops cross, Mexicans will undoubtedly resist and a conflict be precipitated.

THOMAS F. WILSON.

*Mr. Wilson to Mr. Fish.*No. 212.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, November 20, 1875. (Received December 8.)*

SIR: Referring to my dispatch No. 211, under date of yesterday, wherein I mentioned that Col. J. H. Potter, commanding Fort Brown, Tex., had addressed a communication to Col. José L. Cristo, the military commander of this city, on the 18th instant, in which he stated that the officer in command of the United States cavalry in front of Las Cuevas had made a demand on the Mexican alcalde for the surrender of the cattle and cattle-thieves, and that he would cross into Mexico if the demand was not complied with, I have now to state that late last evening Colonel Cristo sent me a copy of Colonel Potter's letter, a copy of which is herewith transmitted.

I understand that Colonel Cristo telegraphed Colonel Potter's letter to the city of Mexico, and that it will be made the basis of an official complaint by the Government of Mexico to the United States Government. I therefore thought it desirable to obtain a copy of it for transmission to you, that you may be advised of its contents, and thus enable you to anticipate any action of the Mexican Government in regard to it should you desire to do so.

About twenty-four hours after Colonel Potter had sent the first communication to Colonel Cristo, he addressed another letter to him, stating that he had ordered the United States troops at Las Cuevas not to cross the Rio Grande. In the mean time, however, I am informed that about fifty United States cavalry had crossed into Mexico to support Captain McNally, and that fighting had occurred, and that the Mexicans had driven McNally's men back to the river, when the United States cavalry opened on the Mexicans with a Gatling gun from the Texas bank and killed several, among others one of the alcaldes and a custom-house officer of Camargo.

During this time the greatest excitement prevailed here and at the other Mexican towns on the frontier. Troops were sent from this city to Las Cuevas; and others were ordered from Camargo and Mier to the scene of action, and every preparation made by the Mexicans to endeavor to protect their territory from invasion.

General Fuero, it is said, dispatched five hundred cavalry from Monterey to Las Cuevas, and, I am informed, telegraphed to Colonel Potter at Fort Brown, Tex., in substance, that while it would be an unpleasant duty, he would have to repulse any invasion of Mexico; that a threat of military invasion was not the mode provided in the treaty

between the United States and Mexico to secure the surrender of criminals and the return of stolen property.

\* \* \* \* \*

I am satisfied that had the officer in command of the United States cavalry which pursued the thieves to the Rio Grande crossed in hot pursuit, and asked the Mexican authorities to assist him to capture the thieves and stolen animals, that the affair would have terminated with very much less trouble and excitement, and perhaps had a very salutary effect.

The fact, however, that he stopped at the river and made a demand on the Mexican authorities at Las Cuevas for the surrender of the cattle and thieves, and that his superior officer, Colonel Potter, on being informed of the affair, reiterated the demand to Colonel Cristo, the military commander of this city, and coupled it with the threat that the United States troops would cross into Mexico, and apparently prepared to enforce the threat by sending two companies of cavalry from Fort Brown to support the force in front of Las Cuevas, undoubtedly caused the greater part of the excitement and the complications which this affair has unfortunately given rise to on this frontier, and which has been aggravated by the killing of several Mexicans, who were in no way connected with the cattle-thieves, on Mexican soil by the Texas rangers, supported as they were by the United States cavalry by their presence on the opposite bank from Las Cuevas in strong force, and by some forty or fifty of them crossing to McNally's aid, and in protecting him with the Gatling gun from the Texas bank.

Should anything further come to my knowledge in regard to this affair, I will promptly advise you of it.

THOMAS F. WILSON.

[Inclosure 1 in No. 212.]

*Mr. Potter to Mr. Cristo.*

HEADQUARTERS DISTRICT OF THE RIO GRANDE,  
Fort Brown, Tex., November 18, 1875.

COLONEL: I have the honor to inform you that a herd of two hundred and fifty head of cattle were crossed at Las Cuevas, at 4 o'clock p. m., on the 17th instant, by thieves, into Mexico.

The officer in command of the United States forces struck their trail about twenty miles north of Las Cuevas; he saw the cattle cross the river, and reports that a party of Mexicans were stationed on the Mexican side of the Rio Grande assisting in crossing the herd and hauling the cattle out of the river.

A demand has been made by the commanding officer of the United States forces, now near Las Cuevas, on the alcalde on the Mexican side for the surrender of the cattle and cattle-thieves. He will cross into Mexico if the demand is not complied with.

I now make a formal demand upon you to take the proper steps to capture said cattle and thieves, and to surrender them to me at Fort Brown, Tex., if the demand made on the alcalde should not have been complied with.

I am, &c.,

J. H. POTTER.

*Mr. Wilson to Mr. Fish.*

No. 213.] CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, November 21, 1875. (Received December 8.)

SIR: I have to inform the department that General La Barra, the collector of customs of this port, advised me yesterday afternoon that

Captain McNally and his men were surrounded by the Mexican forces at Las Cuevas, and were treating for terms of surrender. As I had learned previously that the United States troops had retired to Texas, the statement of General La Barra appeared more than probable, and I feared that if McNally and his men were in the position stated, that under the excitement they would be summarily killed. In order to prevent, if possible, a repetition of the Virginius affair, I at once telegraphed to Mr. Avery, the commercial agent at Camargo, a copy of which is herewith transmitted, that if McNally was treating for terms of surrender, to go to him and advise him to only surrender to the Mexican federal authorities, and then for Avery to accompany the prisoners to this city, and see that nothing happened on the way. Orders were sent from the city, at my suggestion, to the authorities at Camargo to allow Mr. Avery to act in the matter.

On receipt of my telegram, it appears that Mr. Avery crossed to Rio Grande City, Tex., to ascertain the facts of the case. I transmit herewith a copy of his telegram from that place, received late last night, stating that McNally and all his men were safely on the Texas side. The report that they were surrendered was incorrect, I have since ascertained.

This morning I received another telegram from Mr. Avery to the same effect from Camargo, a copy of which is herewith transmitted.

Having previously advised you by telegraph, a copy of which is herewith transmitted, of the supposed position of McNally, I telegraphed to you the fact that he had retired to Texas with all his men, a copy of which is herewith transmitted.

I understand that five Mexicans were killed and seven wounded in this affair on the Mexican side of the river, and that McNally and the United States cavalry which supported him returned to the Texas bank without any killed or wounded.

\* \* \* \* \*

The opportune arrival of Commander Remey, who took command of the naval forces on the Rio Grande, doubtless prevented that arm of the service from co-operating in this affair.

\* \* \* \* \*

In the excitement and conflicting rumors incident to this affair, it has been difficult to ascertain the actual facts of the matter. I have, however, endeavored to do so as far as I was able, and trust that my action in the premises will meet with your approval.

I am, &c.,

THOMAS F. WILSON.

[Inclosure 1 in No. 213.]

[Telegram.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, November 20, 1875.

LUCIUS AVERY, Esq.,  
*Commercial Agent of the United States, Camargo:*

I understand that McNally is surrounded and treating for terms of surrender. If so, go immediately to him and advise him to surrender to Mexican federal authorities, and then you accompany them to this city to see that nothing happens on the way.

Instructions have been sent to authorities in Camargo to allow you to act in the matter.

THOMAS F. WILSON.

[Inclosure 2 in No. 213.]

[Telegram.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, November 20, 1875.

Hon. HAMILTON FISH, *Secretary of State, Washington:*

To prevent further complications and probable bloodshed, I sent the following telegram to Avery, at Camargo, this morning:

"I understand McNally is surrounded and treating for terms of surrender. If so, go immediately to him and advise him to surrender to Mexican federal authorities, and then you accompany them to this city to see that nothing happens on the way.

Instructions have been sent to authorities in Camargo to allow you to act in the matter."

THOMAS F. WILSON.

[Inclosure 3 in No. 213.]

[Telegram.]

RIO GRANDE CITY, TEXAS,  
November 20, 1875.

THOMAS F. WILSON, *United States Consul, Matamoras:*

Positive information is received here that McNally and all his men are safely on this side of the river. There is no occasion to interfere.

LUCIUS AVERY.

[Inclosure 4 in No. 213.]

[Telegram.]

UNITED STATES COMMERCIAL AGENCY,  
Camargo, November 21, 1875.

THOMAS F. WILSON, Esq., *United States Consul, Matamoras:*

McNally and all his men have retired to Texas. All is quiet.

LUCIUS AVERY.

[Inclosure 5 in No. 213.]

[Telegraph.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, November 21, 1875.

Hon. HAMILTON FISH, *Secretary of State, Washington:*

Avery telegraphs from Camargo this morning, "McNally and all his men have retired to Texas. All is quiet."

THOMAS F. WILSON.

*Mr. Wilson to Mr. Fish.*

No. 218.] CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, January 7, 1876. (Received January 24.)

SIR: Several newspaper articles have recently come to my notice, one of which is herewith transmitted, containing the statement that the Mexican Government had admitted to Mr. Foster, the United States minister, its inability to keep on this frontier a sufficient military force to prevent the frequent depredations committed by armed Mexicans on the stock-raisers on the Texas side of the Rio Grande.

\* \* \* \* \*



This state of affairs has necessarily encouraged the wrong-doers, and disheartened the law-abiding and peaceable portion of the population on both sides of the border, until the security of person and property is perhaps less on this frontier than almost any other place on this continent where the authority of law and the observances of civilized society are at all known.

Without some effective check on the increasing tendency to lawlessness, and promotion of some wholesome stimulus to the observance of law and the treaty stipulations, the continuance of the disorders which are now so general must necessarily endanger the future peace of the two countries.

To arrest these evils and to meet the alleged admission of the inability of the Mexican Government to enforce its authority on this frontier and prevent the depredations into Texas, it has occurred to me that if the United States and Mexico could enter into a treaty to establish a mixed court of justice, composed of an equal number of persons of the two nations, appointed by and directly responsible to the executive branches of their respective governments, with power to hold its sessions on either side of the boundary-line and at any point on the frontier where circumstances might require, with jurisdiction over all matters relating to the extradition of criminals, and the authority to issue warrants and cause the apprehension of all persons charged with the unlawful crossing of the Rio Grande for criminal purposes and the arrest of all persons charged with crime in one country found within the jurisdiction of the other, and to place such warrants in the hands of competent officers, who shall have authority in case of necessity to call on the civil and military authorities of the country in which the fugitive criminal is found to assist in the arrest, and exercise such other powers as may be found expedient, the present disorders might be effectually checked.

Such a court, having the sanction and authority of both nations, with the right to call to its aid the civil and military powers of both governments within their respective limits for the violation of the sovereignty of either in crossing the common boundary for unlawful purposes, could undoubtedly 'exercise a very good influence in eradicating the evils which have prevailed so long on this frontier.

I have to respectfully suggest that a precedent for such a "mixed court of justice" exists in the treaty between Great Britain and the United States for the suppression of the African slave-trade, concluded at Washington April 7, 1862, and without entering further into the details of the subject, I have to submit the matter for such consideration as it may be deemed worthy of.

I am, &c.,

THOMAS F. WILSON.

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[Inclosure 1 in No. 218.]

*Copy of newspaper extract containing a statement that Mexico admitted her inability to prevent disorders on the frontier.*

MEXICO, 27.

It appears from official correspondence that last summer Minister Foster stated to the Mexican Government that it was in the power of the Government of the United States to provide a remedy, with the approval or consent of Mexico, for the frequent incursions and depredations committed by Mexicans on the American side of the Rio Grande. The remedy he proposed was permission for the regular troops of the United States to follow the raiders across the border when in hot pursuit, or, what would be still more efficacious, permission to temporarily occupy certain points on the Mexican side where the raiders are accustomed to cross the river.

The reply of the Mexican secretary of foreign affairs was that the Executive had no authority to grant such permission without the consent of Congress, and that it would not be prudent to ask for such consent, as the sentiment of the country would not approve it.

Mr. Foster remarked to the secretary that should the depredations continue, and it should be apparent that no serious attempt was to be made by the Mexican authorities to restrict or punish the raiders, a repetition of General Mackenzie's course might be anticipated; protection to the citizens of Texas must be afforded, and if not given by the Mexican Government, it would come from the United States.

In addition to the denial of Mr. Mariscal to the Mexican minister to the United States of a pending negotiation for the acquisition of Mexican territory, it may be stated that Minister Foster informed the Mexican Government that he was authorized to give the assurance that our government had no information of any design for acquiring an extension of the territory on that frontier, but that the public press in the United States, reporting the frequent incursions and depredations, was creating a strong public sentiment in favor of an aggressive and vigorous policy on the part of the government; and the acknowledgment by the Mexican Government of its inability to restrain lawlessness of its own citizens would afford the strongest possible argument to all advocates of the acquisition of the territory there may be in the United States.

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*Mr. Wilson to Mr. Fish.*

No. 225.] CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoros, March 21, 1876. (Received May 13.)*

SIR: I have the honor to transmit herewith my report upon the subject referred to in your communication of the 4th of January last, marked "separate and confidential."

Owing to the disturbed condition of the country, incident to the projected revolution on this frontier, under the leadership of General Diaz the report is not perhaps as complete as it might have been under a different condition of affairs.

My absence from the consulate was also prolonged on account of the impediments to travel caused by the revolutionists having possession of some of the roads over which I had to pass, and in one or two instances travel was suspended for some days, as the insurgents had forcibly carried off the stage-animals.

I hope, however, that the report, with its accompanying letters from the several United States commercial agents, may be found to contain all the actual information desired by the department on the subject.

I am, &c.,

THOMAS F. WILSON.

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[Inclosure 1 in No. 225.]

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoros, Mexico, March 21, 1876.*

In compliance with the instructions contained in the communication from the department, under date of the 4th of January last, marked "separate and confidential," directing me to inquire as to the existence of a contract stated in the public prints to have been made by the Mexican Government, for the delivery of a large number of beef-cattle at Monterey, in the State of Nuevo Leon, and to make careful and minute inquiries in this immediate neighborhood and along the line of the Rio Grande, where cattle are crossed from Texas to Mexico, and even to proceed to Monterey itself, should it be necessary, to ascertain whether Texas cattle were being obtained to supply such a contract, and how they were procured, whether by honest purchase or by theft, I have to respectfully report:

That between the 15th and 31st of January last, I pursued this investigation from Brownsville to the mouth of the Rio Grande, being a distance by river of about ninety miles, and by land about thirty. \*

On the 5th of February last, I took passage on the steam-launch attached to the gun-

boat Rio Bravo, assigned to me for that purpose, and continued these inquiries along the river from Brownsville to Rio Grande City, a distance of about two hundred and forty miles by water, and about one hundred and twenty by land, stopping at all the towns and principal ranches and cattle-crossings on the river.

At the Rio Grande City, owing to the low stage of water, I left the steamer and took an ambulance, and followed the river to Laredo, Tex., a distance of about one hundred and twenty miles, by land, from Rio Grande City, stopping at all the towns on both sides of the river and the principal ranches for the purpose of making the desired inquiries.

At Laredo I crossed the Rio Grande to Laredo, Mexico, and took another conveyance and proceeded to Monterey, a distance of about two hundred and fifty miles, and thence to Saltillo, a distance of seventy-five miles farther, passing through several interior towns of considerable size, and returned from Saltillo to this city, a distance of about four hundred miles, reaching here yesterday afternoon.

It will thus be seen that I traveled between eleven and twelve hundred miles by land and water, and during the journey visited all the towns on both sides of the Rio Grande, from its mouth to Laredo, embracing Bagdad, Mexico; Brownsville, Tex.; Reynosa, Mexico; Edinburg, Tex.; Camargo, Mexico; Rio Grande, Tex.; Mier, Mexico; Roma, Tex.; Guerrero, Mexico; Carrizo and Laredo, Tex., and Nuevo Laredo, Mexico, and thence through the interior Mexican towns of Lampasas, Candella, Bustamento, Vilaldama, Morales, and Salinas, en route to Monterey and Santillo, and on my return from the two latter places to this city I passed the Mexican towns of Masine Ceraloo, and Puente Aguedas, as well as having stopped at all the principal ranches and cattle-crossings on the Rio Grande for the purpose of making the inquiries directed by the department.

After the most careful and diligent inquiries throughout the district of country over which I traveled, I was only able to learn of but one person who was supplying beef-cattle to the Mexican authorities at any of the places visited by me. This was Blaz de Leon, a resident of Monterey, who was furnishing the government troops at that place with beef-cattle, not to exceed six or seven animals per day. So far as I could ascertain, there was no evidence that the cattle to supply this small contract were obtained by other means than honest purchase.

From the character of the men usually engaged in cattle-dealing on this frontier, any attempt to inspect the marks and brands of the animals found in their possession, or to inquire how they were obtained, without a sufficient force to compel them to submit, would only expose the life of the person attempting to do so, and the fact that experience taught me that it is useless to apply to the Mexican local authorities for assistance even when the best reasons exist to believe that the cattle have been stolen from Texas and crossed to this side. I am unable to state positively that any of the cattle which I saw being driven to market during my journey had not been obtained from Texas.

The limited number of animals, however, met with in the hauds of dealers, and the lack of evidence obtainable to show that they had been acquired otherwise than by honest means, and the fact that no information whatever could be procured as to the Mexican Government having entered into a contract for the delivery of a large number of beef-cattle, as stated in the public prints, has convinced me that no such contract exists.

In addition to my own investigations in regard to this matter, I personally, or by letter, requested the several United States commercial agents stationed on the Rio Grande as far up as Piedras Negras, which is about four hundred miles, to furnish me with such information as they could obtain on the subject.

From the letters of the agents at Camargo, Mier, Guerrero, and Nuevo Laredo, and a copy of a letter from the agent at Piedras Negras, herewith transmitted, it will be seen that they could not obtain any information as to the existence of such a contract, and also that they agree that cattle-stealing on the Texas border has considerably diminished recently, which would not in all probability be the case did a contract with the Mexican Government actually exist for the delivery of any large quantity of beef-cattle on this frontier or at Monterey.

I am, &c.,

THOMAS F. WILSON.

[Inclosure 2 in No. 225.]

Mr. Avery to Mr. Wilson.

UNITED STATES COMMERCIAL AGENCY,  
Camargo, February 18, 1876.

DEAR SIR: In reply to your verbal inquiry whether any considerable number of stolen cattle were being crossed from Texas into Mexico, and at what point on the river,

or whether I know of any contracts for stolen cattle, &c., I would state that from my own knowledge I can give no positive information on these subjects, for the crossing of stolen cattle from Texas is not done so publicly as it was a few years ago; it is managed with a certain degree of secrecy, and, although it may be known to all the vicinity by vague rumors that a certain lot of cattle have passed, it would be difficult to find proof to convict any party as guilty in the case. That stolen cattle are still being passed is notorious, and I am told by those who should be well informed on the subject, that recently large herds of Texas cattle have been passed in the vicinity of Las Cuevas ranch and driven towards Monterey. From the daily condition of the meat market at Camargo I am led to believe that there are no contracts for the delivery of Texas beeves, for since the invasion of McNally beef has more than doubled in price and is very difficult to obtain.

Whether the cattle-thieves have raised their price of cattle owing to the increased risk attending the business, or whether the butchers now depend on honestly obtained animals to supply their stalls, I am not able to say. Of this fact, however, I am satisfied, that the existence of Camargo and vicinity for years past has depended in a great measure on cattle obtained from Texas, and now when cattle-stealing is comparatively suspended we are suffering for the want of the daily roast.

Yours, respectfully.

LUCIUS AVERY.

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[Inclosure 2 in No. 225.]

*Mr. Milana to Mr. Wilson.*

COMMERCIAL AGENCY OF THE UNITED STATES OF AMERICA,  
Mier, Mexico, March 11, 1876.

SIR: With reference to your verbal request to inform you as to whether I could ascertain of any contract to deliver to the Mexican Government, or to any other parties, a large amount of beef-cattle, and if such a contract, whether beef-cattle are being illegally procured in Texas to supply such a contract, I have to state that after careful inquiries I can learn of no such contract existing.

I am, &c.,

M. T. MILANA,  
United States Commercial Agent.

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[Inclosure 3 in No. 225.]

*Mr. Cook to Mr. Wilson.*

GUERRERO, MEXICO, March 1, 1876.

SIR: In reply to your verbal request as to whether beef-cattle are being crossed from Texas to Mexico in any large quantities within the district of this commercial agency, and whether I know of any contracts for large quantities of beef-cattle to be delivered in Mexico, and, if such contracts exist, by whom made, and whether cattle are being stolen in Texas to supply them, I have to reply that during the years 1871, '72, and '73 droves of cattle were passed in sight of this place almost daily; one particular day I saw three droves, varying in numbers from about fifty to three or four hundred head; 1874 and 1875 I have not seen a single drove, which appeared to me quite a mystery, until last January, when a Mr. Box (American) and Dr. Andres Garcia (Mexican) informed me that they had accidentally discovered, about twelve miles below Carrizo, a swimming-place, one from their description capable of passing one thousand head at a time, and evidently in constant use. These men told me that the pen was so constructed, principally by nature, that once in, two or three men could swim five hundred or a thousand head of cattle without the possibility of losing a single animal. The Mexican said that he had lived over twenty five years, and within twenty-five miles, without knowing that such a place existed. Both gentlemen expressed their fear on finding themselves in such a private place, and confessed to having beat a hasty retreat. This discovery explained to me why I had not seen cattle pass for the last two years.

With regard to contracts, I have not heard of any within the last five years, from the fact that the cattle are nearly all taken to the States of Nuevo Leon, San Luis Potosi, and Durango, principally the former. Previous to 1871, while living in Nuevo Leon, twenty leagues south of Monterey, I have seen many droves, some amounting to five or six hundred, of all ages, sizes, conditions and brands. Some of the best would sell at from \$2.50 to \$4 per head, cash. The rest exchanged for horses, mares, or mules; say

horses twelve to fourteen, mares five to seven, mules fourteen to twenty head of cattle for each animal, averaging (the cattle) about \$1.25 per head. Contracts have been made on these conditions to my certain knowledge. Some of the parties (drivers ?) making these contracts I have recognized during my residence in this city; those living in the State of Nuevo Leon were well known to me and considered highly respectable (?) men.

Texas brands can, I doubt not, be found in these peoples' ranches at the present time. Sickness must be my apology for this delay.

I am, &c.,

WILLIAM A. COOK,  
Vice-Commercial Agent.

[Inclosure 4 in No. 225.]

*Mr. Haynes to Mr. Wilson.*

COMMERCIAL AGENCY OF THE UNITED STATES OF AMERICA,  
Nuevo Laredo, March 14, 1876.

SIR: In compliance with your verbal request to diligently inquire in this vicinity as to the existence of any contract to furnish beef in this country, and whether Texas cattle are being wrongfully obtained and crossed into Mexico to supply any such beef contract, I have to report that, after careful inquiry, I find that no such contract exists in this section of the country, nor has there been any such contract since my appointment as commercial agent at this port.

I am, &c.,

JAMES J. HAYNES,  
United States Commercial Agent.

[Inclosure 5 in No. 225.]

*Mr. Schuchard to Mr. Wilson.*

PIEDRAS NEGRAS, March 6, 1876.

SIR: Your favor of the 22d ultimo was handed to me in due time by Colonel Jennings, and its reply delayed in expectation that I might find out something certain relative to the cattle contract you refer to, but up to date I was not able to hear of anybody who knew anything about it. If such a contract really exists, it is not supplied with cattle from Texas between Laredo and San Felipe. General Mackenzie's crossing into Mexico in pursuit of cattle thieves has stopped that traffic, and, besides, cattle are getting so scarce in that section of Texas by driving to Kansas, that several buyers came over to Mexico and bought quite large herds. There is a great deal of stealing going on now, but this consists in stealing horses on the Mexican side by Mexicans, who find a ready market always in Texas for them.

Mr. John Weber, in Monterey, a former partner of Mr. Ulrich, might give you some information in regard to the contract if it really exists.

I am, &c.,

WILLIAM SCHUCHARD.

*Mr. Wilson to Mr. Hunter.*

No. 231.] CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoras, April 3, 1876. (Received April 11.)

SIR: I have the honor to inform the department that the revolutionists under General Diaz occupied this city yesterday morning, after scarcely any resistance from the government forces. On the approach of the revolutionists the national guard refused to obey General de la Barra, commander of the government troops, and at once fraternized with the insurgents. General de la Barra, after vainly attempting to control the forces at one of the forts, fell back with a few men, who still adhered to the government cause, toward another of the forts, where he was



received by a volley from his own men, when he escaped to Brownsville Colonel Cristo, with a small body of government regulars, held one of the forts perhaps an hour after the insurgents occupied the rest of the city and its fortifications, and then surrendered, as further resistance was useless.

All the officers were released on parole, and those who still remained faithful to the government were allowed to go to Brownsville.

The action lasted less than an hour; only four were killed, and not more than a dozen wounded. General de la Barra and Colonel Cristo were loyal to the government, and only lost the city by the treachery of a large majority of the officers under them.

Order was soon restored after the firing ceased, and the city has been comparatively quiet since.

Last night General Diaz informed me by letter, a copy of which is herewith transmitted, that he had taken possession and was endeavoring to re-establish order and the public administration. In my reply, a copy of which is herewith transmitted, I confined myself to acknowledging its receipt.

Fortunately foreigners were not disturbed in person or property. This was not, however, so far as I know, the result of any precautions taken by the revolutionists to prevent it, as they advanced on the fortifications without having previously demanded the surrender of the city, or giving any notice whatever to allow non-combatants to leave.

\* \* \* \* \*

Mr. Chevaro, the collector of the port, and his family, and some others connected with the custom-house, took refuge in this consulate. Later in the day they received permission from General Diaz to join their friends in Brownsville.

As soon as the fighting ceased in the streets I went to see Mrs. General de la Barra and informed her of the safety of her husband. She desired me to take charge of her furniture and other effects, and I caused them to be stored in the consular building. As soon as I deemed it safe, I accompanied Mrs. de la Barra and her children to Brownsville, where she joined the general.

I shall promptly advise the department of all events of sufficient importance to communicate.

I am, &c.,

THOMAS F. WILSON.

[Inclosure 1 in No. 231.]

*Mr. Wilson to General Diaz.*

CONSULATE OF THE UNITED STATES OF AMERICA,  
Matamoros, April 3, 1876.

SIR: I have the honor to acknowledge the receipt, about eight o'clock last night, of your communication dated yesterday, in which you inform me that you had occupied this city yesterday morning with the forces under your command, and that you had ordered the measures necessary for the security of the persons and property of its inhabitants, and also manifesting that you were occupying yourself to reorganize public administration, to the end that business may return to its normal state, and with the object that Mexican citizens and foreigners should enjoy with tranquillity the guarantees which your laws give to the former and the treaties of friendship which exist between foreign nations give to the latter.

I am, &c.,

THOMAS F. WILSON.

*Mr. Wilson to Mr. Hunter.*

No. 242.] CONSULULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 13, 1876.* (Received August 1.)

SIR: This morning the commanding officer at Fort Brown, Texas, General Thomas C. Devin, sent me a copy of a telegram, a copy of which is herewith transmitted, from the commanding officer at Fort McIntosh, Texas, in regard to a forced loan which the Mexican officer at Nuevo Laredo was exacting from citizens of the United States doing business there. I at once sent a communication, a copy of which is herewith transmitted, to General Revueltas, military commander of the Zona Libre, informing him of the matter and requesting that the necessary measures might be taken to protect the citizens of the United States residing at Nuevo Laredo from such exactions. A copy of General Revueltas's reply is herewith transmitted, together with a copy of his telegraphic order to the officer at Nuevo Laredo, instructing him not to exact forced loans from citizens of the United States and to return any money paid by them.

\* \* \* \* \*  
I am, &c.,

THOMAS F. WILSON.

[Enclosure 1 in No. 242.]

UNITED STATES MILITARY TELEGRAPH,  
*Fort McIntosh, July 12, 1876.*

ACTING ASSISTANT ADJUTANT-GENERAL,  
*Fort Brown:*

Mexicans laid prestamos on merchants of Nuevo Laredo to-day, including all the Americans. Some have paid to save their goods from confiscation. Others have appealed to United States commercial agent, and he to me for protection. I have no instructions which authorize me to act. Have you any?

MERRIAM.

[Enclosure 2 in No. 242.]

*Mr. Wilson to General Revueltas.*

CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 13, 1876.*

SIR: I have to transmit herewith a telegram by General Devin, the military commander of the district of the Rio Grande, at Fort Brown, Texas, which he has just sent to me, from which it will be seen that the military officer in command of the Mexican forces at Nuevo Laredo has laid a military loan on the merchants of that place, including citizens of the United States doing business there. If such a loan is being exacted, it is in violation of the guarantees contained in the treaty between Mexico and the United States; and I have to respectfully refer the matter to you, with the request that you will take the necessary measures to see that the citizens of the United States in Nuevo Laredo are protected in their lives and property.

With the assurance of my regard and esteem, and the hope that I may receive a favorable reply from you at your earliest convenience,

I am, &c.,

THOMAS F. WILSON.

[Inclosure 3 in No. 242.]

*Mr. Wilson to General Devin.*CONSULATE OF THE UNITED STATES OF AMERICA,  
*Matamoras, July 13, 1876.*

SIR: I have to transmit herewith a copy of a letter received from General Revueltas, in regard to the military loan said to have been exacted by the military commander at Nuevo Laredo, from the merchants of that place, in which he states that he has instructed the officer at Nuevo Laredo, by telegraph, not to exact such loans from citizens of the United States, and to return any money paid by them on account of such loan.

I am, &amp;c.,

THOMAS F. WILSON.

WASHINGTON, D. C., *January 26, 1878.*

JULIUS G. TUCKER sworn and examined.

By Mr. BRAGG:

Question. Where do you reside?—Answer. In Brownsville, Tex.

Q. How long have you resided there?—A. Over seven years.

Q. What is your business?—A. I am engaged in the banking business, and am a contractor.

Q. Do you own any ranches in Texas?—A. I do.

Q. Where is your ranch situated?—A. Twenty-nine miles above Brownsville.

Q. What is it called?—A. San Maria.

Q. How large a ranch have you there?—A. It extends eighteen miles.

Q. What is the district of country which is designated when you speak of the Lower Rio Grande?—A. It is from Fort Brown to Fort McIntosh, or to Fort Duncan.

Q. How are the troops located on that line of the Lower Rio Grande?—A. There is a post at Fort Brown with a subpost at San Maria, a subpost at Edinburg, or Hidalgo, a post at Ringgold Barracks, a detachment at Cariso, and a two-company post at Fort McIntosh.

Q. Is the post of San Maria on the line of military telegraph?—A. It is on the line of telegraph.

Q. Is there an operator there?—A. No, sir; it has no telegraphic connection.

Q. How far has a messenger to travel in order to carry news from there to either of the other posts?—A. Twenty-nine miles to Fort Brown and about thirty-three miles to Edinburg.

Q. And the military telegraph passes right by the post?—A. Yes, sir.

Q. How long has that state of things existed there?—A. Since the telegraph was built, about two years ago.

Q. In what section of the Rio Grande do the Mexican raids occur most frequently, or have occurred since you have lived at Brownsville?—A. Several years ago they occurred from the mouth of the river up all along the Lower Rio Grande, but for the last eighteen months or two years we have had no regularly organized raids.

Q. How far into the interior of Texas do these raids extend?—A. They have extended nearly up to Corpus Christi, a distance of about one hundred and fifty miles.

Q. In what force are they generally made?—A. There have been raids there of from fifty to seventy-five men.

Q. Are the men armed?—A. They are all armed.

Q. Are they armed any differently from the general custom of people

traveling in that country?—A. These raiders have been generally armed with Winchester rifles and pistols and have been mounted.

Q. On what points on the Lower Rio Grande do the raiders principally congregate in Mexico, and where do they make their headquarters?—A. They have different places. They generally congregate where it is most thickly settled, or at places where they have a cut-off on the American side, as, for instance, opposite San Maria, and opposite Las Cuevas, and at Reynosa, which is opposite Edinburg, and also at Camargo, which is opposite Ringgold Barracks.

Q. What is the reputation and character of Las Cuevas?—A. It has the name of being the worst place on the whole Lower Rio Grande frontier. Las Cuevas consists of two ranches, one on the American side and one exactly opposite in Mexico. The Mexican ranch of Las Cuevas is densely populated. It is a ranch which can at any time arm from 250 to 400 men, and the principal raids have been from that point.

Q. For how many years?—A. For as long as I have been there, up to within a recent period.

Q. Is the fact known to the commanding officer on the frontier that that is the most dangerous point, and the one from which the most raids proceed?—A. It is fully known.

Q. Has there ever been a post or subpost established opposite Las Cuevas or in that vicinity?—A. There has been. About three years ago there was a small post at a place called Penitas, which is about 15 miles beyond Las Cuevas—between Las Cuevas and Edinburg.

Q. Has there ever been one established opposite Las Cuevas?—A. No, sir.

Q. What is the formation of the country at Las Cuevas?—A. The hills commence at Las Cuevas. The whole tract of Las Cuevas fronts upon the hills. Beyond, on the other side, the country is sandy and marshy, but Las Cuevas is on high ground. There is at Las Cuevas a great thoroughfare direct to Monterey, and there is a difference of two days travel by going from Monterey to the United States by Las Cuevas instead of coming around by Ringgold Barracks. The people from the interior taking that road can travel much quicker.

Q. Is the Las Cuevas tract on the Texas side on high ground?—A. Yes, it is hilly and gravelly. It is the only portion of the country which is rocky and gravelly. There are steep hills there.

Q. You spoke of cut-offs; explain to us the difficulties that arise from cut-offs?—A. When the river has made a cut-off leaving land which had been in Mexico on the Texas side of the river, it is claimed under the treaty as still belonging to Mexico.

Q. The treaty reads that the boundary-line shall be "where the Rio Grande now runs"?—A. Yes, sir; that is the language of the treaty.

Q. And the Rio Grande has changed its course by cutting through bends?—A. Yes, sir; and leaving those bends perfectly dry on the Texas side. Right alongside of San Maria there is a large bend called Cerrone, where thieves and their families live, and from which they commit their depredations in Texas. They go into Texas by ones and twos and fours and fives, and when they commit their depredations, all that they have to do is to drive right into this cut-off. No one is going to follow them in there, because it is a Mexican territory. Some four years ago a raid was made into that place by a company of the Fourth Cavalry stationed at Fort Brown. They had at the time an understanding with the Mexican commander on the Mexican side of the river, who was to march on that side and to rendezvous opposite this place. Lieutenant Butt, of the Fourth Cavalry, was in command of our troops, and

they went in and drove out the thieves, killing two, I think, and wounding one or two. Some of them made their way across the river, and were caught on the opposite side by the Mexican troops, who were under the command of Colonel Falcon, and who were concealed on the opposite side. This tract is about a mile and a half wide by about a mile deep. The driving out of these thieves had an excellent effect, because their families all left, and we were left in peace there for some time. Shortly after that a company was stationed there, and the thieves were afraid to come back, but subsequently a decision was rendered by the Treasury Department at Washington that that place being in Mexico no United States writ could be served there. This occurred in this way. One of the customs-inspectors seized a silver-mounted saddle that was claimed by a woman, the mistress of a noted desperado named Cavallo Blanco. She claimed the saddle. Mr. Barney, the collector at Brownsville, held it, and reported the case to Washington, and received instructions to return the saddle to the woman. The saddle had been taken on this cut-off. Since that decision was rendered no American official presumes to go in there. The territory is Mexican to all intents and purposes. I furnish hay to the government under contract, and there is a good deal of hay growing on that place which I buy and I pay duty for to the United States Government, although it is raised alongside of my own land. The dry bed of the river, where the river formerly ran, is about 100 yards wide, and is now perfectly dry. Although there is a military post at San Maria, yet these thieves have gone in there again, seeing that they cannot be disturbed.

By Mr. MARSH:

Q. Is that a prairie country or a timber country?—A. It is what we call a chaparal. A good part of this cut-off is level ground. Corn is raised in the bottoms, and there is very fine hay raised there. I bought some 200 tons of hay there.

Q. Grown on land a mile and a half wide and a mile long?—A. Yes, sir. There is no timber on that place; it has been cultivated for years.

Q. Then there is no cover for the thieves to hide in?—A. No, sir; it is perfectly open. This place extends to very nearly the main county road, within fifty yards of it, and right across the road the chaparal commences on the Texas side, so that all the thieves have to do is to get into that chaparal, which is so thick that they can hide anywhere.

By Mr. BRAGG:

Q. How many troops have you had at Brownsville during the past year?—A. Four companies of cavalry and two companies of the Twenty-fourth Infantry.

Q. What was the strength of the infantry companies?—A. Very small; not amounting to more than 25 or 30 men to the company.

Q. And from that the details and the extra-duty men were all taken, leaving about how many men for duty?—A. These companies have had at times no more than five or six or eight men each for duty.

Q. Who has been in command at Brownsville during the past year, and who is there at present?—A. General Thomas E. Deven was in command last year. He was the lieutenant-colonel of the Eighth Cavalry. He was relieved by Colonel Sweitzer.

Q. How long has Colonel Sweitzer been there?—A. About four or five months.

Q. With his family?—A. His family has been there only two months.

Q. What is his reputation as an officer there?—A. His reputation is very good. He is considered one of the best officers we have ever had there,



from the fact that he is very steady, very cool, very deliberate, and that he considers before he acts. Besides that, he has a happy faculty of making friends, not only with the people on the Texas side, but also with the people on the Mexican side. The relations with the Mexican officials since Colonel Sweitzer has been there have been very pleasant; so much so that Canales has frequently come over and consulted with him. I have seen Canales there sometimes twice a week.

Q. How long is it since Colonel Sweitzer has been relieved?—A. Colonel Sweitzer was relieved about the 1st of January, after having that command about four months.

Q. Why was he relieved?—A. That is a question which I would not like to answer and to see published.

By Mr. MAISH :

Q. Why do you not wish to answer the question?—A. I do not wish my answer to appear on the record, as my business is altogether with the government and its officials.

By Mr. BRAGG :

Q. You are a contractor?—A. Yes, sir.

Q. From whom do you receive contracts?—A. From the department, of course. The contracts are let in open market, but they have to be approved by the department and by the division commander.

Q. Do you know whether Colonel Sweitzer informed the district commander that with a few more troops at his disposal they could be so arranged on the Lower Rio Grande as to prevent any trouble?—A. I do.

Q. How long ago was that information given?—A. Some three months ago.

Q. Were there any additional troops furnished?—A. Not until very recently.

Q. And when they were furnished, he was relieved, was he not?—A. He was.

Q. Do you know whether that recommendation of his had anything to do with his removal?—A. I do not like to answer that question, if I can avoid it. I do not wish to give an answer which may be injurious to myself, and at best my answer would only amount to an opinion.

Q. How long was Colonel Deven in command?—A. I think some eighteen months.

Q. How did his administration of affairs compare with Sweitzer's, in securing peace and quiet on the border and good feeling among citizens?—A. It did not compare at all.

Q. In what respect?—A. Colonel Deven is a very impetuous man. He got himself into private quarrels with citizens, and took sides in Mexican affairs with the commander at Matamoros, General Revueltas, who was considered by everybody in that country as a thief and robber. He is the one who robbed American citizens in Matamoros, by levying a forced loan on them.

Q. What had Colonel Deven to do with the levying or collecting of any forced loan on the citizens of Matamoros?—A. Colonel Deven, being on very intimate terms with this General Revueltas, visited him frequently in Matamoros and had Revueltas come over to visit him at Fort Brown. At the time that this tax was being levied on American citizens, Colonel Deven went to Matamoros, and in a public bar-room and a barber-shop upheld Revueltas, stating that if he had anything to do with it he would levy 10 per cent. instead of 3. I know of this transaction from the fact that a remonstrance directed to Colonel Deven

on this point was shown to me by the American consul, Mr. Thomas F. Wilson, and I also saw the reply from Colonel Deven.

Q. How long did he remain in command after that?—A. He remained in command until his promotion took him to another post, some eight or ten months.

Q. Has General Doubleday been there?—A. General Doubleday was there three or four years ago.

Q. Are you acquainted with the officers on the Lower Rio Grande and with their general conduct—I mean the subaltern officers?—A. Intimately; I know every one of them intimately.

Q. Were you a banker doing business there?—A. For the last year, when there was no appropriation for the Army, I advanced them their pay, and I have been doing business for them and banking for them ever since I have been there.

Q. What is their general character as to conservative disposition—I mean whether they are strict in attendance upon their duties, or whether they are meddling, interfering, talking, or participating in the affairs that arise across the border?—A. Some of the officers are very quiet, very good soldiers, men who strictly attend to their own duties and do not meddle at all with outside affairs. Some of the junior officers will interfere, especially when, now and then, they get a little too much whisky on board, but some of the worst of them have been weeded out. They have been court-martialed, and a good many of them dismissed.

Q. What is the effect of the interference of our officers in Mexican difficulties—I mean what effect does it produce on the Mexican people?—A. Of course it keeps the people of Mexico in a state of irritation. They are as a nation, and as a weak nation, very conservative of course. It has happened that officers from our side have threatened to invade them and to take their towns, and they feel such a threat much more than if it was made toward England, because they feel themselves weak.

Q. Have our officers been in the habit of making such threats and swagger there?—A. Very often some of them have.

Q. Did I understand you to say that from Eagle Pass, down to the Lower Rio Grande the raids have materially decreased within the last eighteen months?—A. Yes, sir.

Q. To what extent have they prevailed?—A. For the last eighteen months or more we have had no regularly organized raids such as we formerly had.

Q. Where is the bulk of the troops stationed now?—A. They are stationed at Fort Brown and at Ringgold Barracks, on the Lower Rio Grande.

Q. About what number is stationed at Ringgold Barracks?—A. Until within a very recent period, there have not been more than 300 men stationed there.

Q. How far is it from there to Fort Clark?—A. From Fort Brown to Fort Ringgold, the next post, is 107 miles by the telegraph-line.

Q. Where is the bulk of the troops in Texas stationed?—A. At Fort Clark.

Q. And how far does the populated portion of Mexico extend up the river?—A. It only extends a little above Ringgold Barracks, not quite as far as Fort McIntosh.

Q. Then the bulk of the troops is opposite the uninhabited part of Mexico?—A. Most assuredly.

Q. And this portion of the troops, consisting of about three hundred men, is stationed opposite the densely populated portion?—A. Yes, sir; densely populated for the border.

Q. And in front of that territory from which originally all the Mexican raids came?—A. Yes, sir.

Q. And opposite Las Cuevas, which is the most dangerous point for the robbers, no military party has ever been stationed?—A. No, sir.

By Mr. MAISH :

Q. Do you know any reason for that?—A. No, sir.

Q. Is there fresh water there?—A. Yes, sir; it is on the river.

Q. And there is a lake there?—A. No, sir; there is no lake. Toward the river, from the hills of Las Cuevas, there is a bottom which has standing water. You may call it a lake or a lagoon. It generally has fresh water in it, but it is close to the river.

Q. Is that what is sometimes called a water-hole?—A. Yes, sir; but it is near the river.

By Mr. BRAGG :

Q. What method do you adopt at your large ranch to protect yourselves from the thieves who have been in the habit of frequenting the cut-off?—A. I have no method. My only way of protecting myself has been, that instead of using oxen to cultivate my land, which would be the most economical way of doing it, I have had to work condemned artillery horses, of which I bought quite a number, and which cost me three times as much as oxen.

Q. Have you any inhabitants settled on the northern border of your ranch of San Maria, near to the cut-off?—A. Yes, sir; I have Mexicans living around there. This year, for instance, I only cultivate enough for my own use. Last year I cultivated extensively corn and hay for the government, but this year I have abandoned that, and have rented my land. I have some fifty Mexicans to whom I rent the land (they giving me one-third of what they make). They are living between me and this place, and on the border. On the other side, along the Rio Grande, I have six Americans to whom I rent land.

Q. How many Mexicans do you have in your employment?—A. Taking the year round, I have not less than five hundred.

Q. You speak the Spanish language, I suppose?—A. Enough to get along with.

Q. Are you able to ascertain from them the general feeling that prevails along the border among the Mexican people?—A. Yes, sir.

Q. And you are apprised by them of contemplated raids and difficulties?—A. At times. But they are afraid to give information for fear of being killed. They are very chary about it. I have no doubt that if they knew that any stock of mine was to be stolen they would give me information about it, because personally I am on very good terms with them.

Q. You have spoken something about our own officers. Is there not a good deal of dissoluteness and lack of discipline on that frontier?—A. I do not know that there is any more than there would be with any other army situated as they are, on the frontier; there is a good deal of whisky drank in that country, and while we have officers who do not drink at all, yet there are others who do.

Q. How do they occupy their leisure hours principally?—A. That is a question which is hard to answer. I suppose by attending to their business. That is the best answer I can make.

Q. Do you know of their visiting towns on the opposite side?—A. Yes, sir.

Q. Do you know of their getting drunk there, and making threats of

invading and conquering Mexico?—A. That would only amount to an opinion.

Q. Is that their general reputation?—A. I do not think it is their general reputation.

Q. Is it the general reputation of any class of these officers?—A. Well, some few; yes, sir.

Q. Of what rank?—A. Junior officers.

Q. As high as captain?—A. I think not.

Q. Principally lieutenants?—A. Yes, sir.

Q. Is that the reputation of any officers who have command in any of the posts or subposts, or of any patrols?—A. I think not.

Q. Having spoken of the habits and character of the officers on the frontier, will you give us the character of the men who are called "Texas Rangers" on that frontier, and who discharge the duties of Texas police; what class do they consist of?—A. They consist of a class of people whom we call "cow boys;" in other words, drivers, cattle-herders. As a class of men, they are wild and reckless, and will not keep under any particular discipline.

Q. What is their practice and custom as to swagger and threats of invading Mexico?—A. As a matter of course, they are at that most of the time.

Q. Do you know of a desperado of the name of Rabb killing a Mexican on the Texas side some time in the summer of 1877?—A. I do; but I think it was in 1876.

Q. Where was it?—A. Out in Nueces County. This man Rabb was the son of a widow lady who is very wealthy. He was a desperado and a murderer, and was the terror of his neighbors, often of his friends. He became involved in a difficulty with some men said to be Mexicans, and he was killed.

Q. What took place after that?—A. His so-called friends, men living in that country, banded together and killed quite a number of innocent Mexicans.

Q. How many?—A. I should say not less than forty.

Q. Was there any report made of that?—A. I think not, although it is a well known fact in our country.

Q. Where were those Mexicans killed—in Mexico or in Texas?—A. In Texas; on the ranches, roads, and wherever they were found.

Q. What class of men were they?—A. Rancheros.

Q. Men of property?—A. Yes, sir.

Q. Were they killed indiscriminately, just as the bands happened to come upon them, or were they men who were selected to be killed?—A. It is reported that the bands killed them just as they came across them.

Q. Who was in command of that squad of murderers?—A. I do not know.

Q. Do you know Captain Hall, of the Texas forces?—A. I do.

Q. How large a force has he at his command?—A. He was stationed at Rio Grande City, and had some 20 or 25 men under his command. He came down there at the time of the breaking of the jail.

Q. Do you know whether he crossed over the Rio Grande into Mexico?—A. I saw him myself in Camargo at that time.

Q. Was any United States officer with him?—A. Yes, sir; Major Price, of the Eighth Cavalry, who was then in command of the forces at Ringgold Barracks, was over there at the same time.

Q. Were the people of Camargo excited?—A. Very much so.

Q. What was the occasion of their excitement?—A. The citizens were apprehensive of an attack. The rumor had spread through the country

that there was to be an attack upon them, and the rancheros were armed and coming into the town.

Q. What led to the apprehension of an attack?—A. The declaration made, as I understood, by Lieutenant Hall, that 25,000 men were being raised to invade Mexico, and that they were coming over to take those men who had been engaged in breaking the Rio Grande City jail.

Q. What part did Major Price take in that?—A. In a personal conversation at Camargo, Major Price told me that he was satisfied that these fugitives were concealed in Camargo, and that he was satisfied that he could take them, and that the Mexican officials were not attempting to take them. I differed with him on the subject, for I knew probably more about it than he did, because I had seen the Mexican troops go out after these men. He said that he was satisfied that the Mexicans were not attempting to take them, and that if he were allowed to go over there, he could go and take them himself.

Q. Do you know whether at that time there had been any reward offered by the central Government of Mexico for the arrest of these men?—A. I knew it at the time, and told him so.

Q. How large a reward?—A. A reward of \$2,000 was offered by General Benavidez.

Q. Who was General Benavidez?—A. He was a special commissioner sent by President Diaz to inquire into the trouble.

Q. Do you know whether any Mexican troops were sent out for the purpose of making the arrests?—A. I do.

Q. Were any murderers arrested?—A. Yes, sir; three of them were arrested.

Q. Do you know where the man was found who Major Price and Lieutenant Hall insisted was concealed in Camargo?—A. He was not found at all, but he was heard from over a hundred miles away, up in the mountains, commanding a band of twenty robbers. They attacked a ranch of a Mexican in order to obtain arms and horses, and were driven away from it. That was the first information that was received of this man in Matamoros.

Q. Were any of these men subsequently surrendered to the Texas authorities under the extradition treaty?—A. They were; all three of them.

Q. Do you know what occasioned the delay in their surrender?—A. I do, to a certain extent; I can tell you what I have heard.

Q. Heard from whom?—A. Heard from these parties on the Mexican side of the river.

Q. Citizens or officials?—A. Citizens.

Q. On whose demand were they surrendered?—A. On the demand of the extradition commissioner, Judge J. C. Russell. Benavidez insisted on the surrender of these men, and when General Canales, the commander at Matamoros, hesitated to surrender them, although he had been positively ordered to do so by General Diaz, General Benavidez left Matamoros in disgust, and came over to Brownsville. General Canales followed him over to Brownsville, expostulated with him, begged him to return, and stated that he was going to give up one of the prisoners right away, and that he would turn him over the very next morning. He said that the United States had no right to claim these men under the extradition treaty, they not being American citizens, but Mexicans. General Benavidez refused to go back to Matamoros, stating that he, Canales, had disobeyed the positive order of the general government, and that he was responsible to the general government for the same. In extenuation of his conduct, Canales remarked that if General Diaz



chose to turn those men over, he could select some other person to do it; that he, Canales, was not willing to sacrifice himself, or to be made a cat's paw of for General Diaz; that he holding the political office, being governor of the State of Tamaulipas, expected to run again for the same office, and that if he turned over these men who did not come under the stipulation of the treaty, he could never hold office again, as the people were opposed to such a thing. He subsequently turned these prisoners over to the extradition judge, so called in Matamoras, by whom they were turned over to our extradition commissioner; Canales thus cleaning his hands of the responsibility of turning them over.

Q. Was it at the time that this negotiation was going on for the surrender of these persons, under the direction of General Diaz, that this Texas officer, with Major Price, was at Camargo making threats of invasion?—A. It was. It was after these men had been captured, however, and had been held in Matamoras.

Mr. MARSH. That question presupposes that Major Price was threatening an invasion of Mexico; I have not heard any testimony to that effect.

The WITNESS. I did not say so.

By Mr. BRAGG:

Q. Was Major Price present at Camargo with Hall at the time Hall was making these threats?—A. He was at Camargo at the same time.

Q. Did you see them both there?—A. I did.

Q. Were they together?—A. They came together. They came into the same store where I was, the store of the American commercial agent. I met Major Price there, and, subsequently, Lieutenant Hall.

Q. Do you know whether they were there for a common purpose?—A. I do not.

Q. You do not know what brought them together?—A. I do not.

Q. Describe more fully the fact of the appearance of these two officers there, and all the threats made by Lieutenant Hall?—A. At the time that these threats were made, the mayor of the city of Camargo, and also the commandant, sent a dispatch to General Benavidez, at Matamoras, stating that they were apprehensive of an invasion, and that at any moment a collision might take place, and asking him what they were to do, and asking his interference. General Benavidez came over on the American side to see me, stated the case to me, consulted me as to what was to be done, and begged of me, as a favor, to go up to Camargo to see the alcalde (the mayor), to take a letter from him (Benavidez) to the mayor, to talk the matter over with the authorities there, and to caution them by all means to avoid a collision, as the Federal Government of Mexico was very anxious to keep peace and not embroil the two countries. We were to use all possible means to avoid a collision. I thought it best, before going up there, to see Colonel Sweitzer, and communicate the facts to him. I therefore went to the fort at Brownsville, and had a long conversation with Colonel Sweitzer in regard to the matter. Colonel Sweitzer telegraphed to General Ord, and asked, I believe, that measures be taken to stop this man Hall from making his threats. I left Brownsville on Saturday night, in my own conveyance, drove day and night, arrived at Camargo on Monday morning, and saw the mayor and officials of the city. That was the same time that I met Major Price there and this man Hall. I told the officials what General Benavidez had said. They said, "It is very well for General Benavidez at Brownsville to make these remarks, but see here (pointing to half a dozen rancheros, passing along the street armed), these people are frightened to

death; the rancheros are all coming in from the country. They are not going to allow their country to be invaded. What can we do; we are powerless. If the Americans choose to come over here they can do so; there is nothing to prevent it." I was in a great hurry to return home, having left my business, and having only come over as a special favor to General Benavidez. I started for home the next day; but before I left Camargo, this Lieutenant Hall received a dispatch from the governor of Texas, stating that he was not there for the purpose of invading Mexico, but for the purpose of assisting the civil authorities of Mexico to keep the peace, and asking him to desist from going into Mexico. It appears that Colonel Sweitzer telegraphed to General Ord, and that General Ord telegraphed to the governor, and that the governor sent this message down to Hall. I intimated to Hall, when I first saw him there, that his orders would probably be modified within a short space of time, and I cautioned him about coming over there, and told him that the people were very much frightened. Before I left he received this dispatch from the governor and told me its contents.

Q. Do you know of any raids that have been interfered with or prevented by United States troops on the Rio Grande within the last year or two?—A. As I said before, we have had no regularly organized raids on the Lower Rio Grande during that time. The raids which have been reported have occurred on the upper part of the river.

By Mr. MAISH:

Q. You have been talking about Major Price; did you see him on that occasion?—A. I stated that I saw him.

Q. What was his condition? Was he or was he not under the influence of liquor?—A. That is a question which is hard to determine, and I would not like to give testimony about it, because where one man who has taken one or two drinks might be considered under the influence of liquor, another man who has taken two dozen might not show it as much. Major Price is in the habit of taking a drink, but I cannot say whether he was then under the influence of liquor.

Q. Was he excited?—A. He seemed to be excited.

Q. Did I understand you to say that he indulged in the threats of invasion?—A. I did not say so. He said that he did not believe that the Mexicans were endeavoring to capture these men; that he could capture them if he was allowed to go over.

By Mr. BRAGG:

Q. Do you know anything of the troops on the Mexican side of the river?—A. Yes, sir; there is a garrison at Matamoras, opposite Fort Brown, and a small garrison at Camargo.

Q. Do you know whether any other troops were ordered there by General Diaz to protect the frontier?—A. I do. I saw a report made by General Benavidez to the central government before he sent it off, and I had a long conversation with him in reference to the stationing of troops on the Mexican side of the river. His recommendation was to send down not less than fifteen hundred troops, in addition to those that were there already, to be distributed between Fort Brown and Fort McIntosh. A small force was to be stationed at Matamoras. A force was to be stationed at Las Palmas, opposite San Maria, in front of this cut-off that I have been speaking about. A force was to be stationed at Reynosa, opposite Edinburg, where there is a company stationed. There was to be a camp at Las Cuevas; a camp at Camargo, opposite Ringgold Barracks; a camp at Cariso; and a camp at New

Laredo, which is opposite Fort McIntosh. That was his recommendation to the Mexican Government.

Q. Do these points cover all the points from which raids have proceeded on the Lower Rio Grande?—A. Exactly.

Q. Then that would guard the Mexican frontier of the Rio Grande with regular troops?—A. Yes, sir.

Q. Have our troops been stationed opposite those points?—A. No, sir; not at all.

Q. Would an effective distribution of our forces on that frontier require that they should be so stationed as to furnish protection against inroads?—A. Yes, sir.

Q. And those points are the prominent points from which the raiders cross?—A. Yes; and I should think that it must have run through General Benavidez's mind that these were the prominent points, from the fact that he consulted me about them.

Q. Did the Mexican troops come on that occasion?—A. They did come to the mouth of the river, but they could not disembark, and they returned to Tampico for the purpose of coming over by land.

Q. These were the troops representing the Diaz government?—A. Yes, sir; there were said to be 1,500 men.

Q. And they were forwarded on the recommendation of Benavidez, the special commissioner on that border?—A. Yes, sir.

Q. How does the condition of affairs on that border, relative to the feeling of the people as to the preservation of peace and amity between the two countries, compare now, under the present administration of military affairs, with what it was under former administrations?—A. All the good people, those who have anything to lose, are very anxious to preserve peace, and are very glad to see us have a commander who keeps up friendly relations with the Mexican commanders; but the riff-raff, those who have nothing to lose and everything to gain, are the ones who are clamoring for war, and are trying to bring it about by all means.

Q. What kind of a commandant of the department does it require to preserve conservative feeling and to keep it in the ascendancy on the frontier?—A. It requires a man of conservatism; a man of cool, calm judgment, and of a good deal of experience.

Q. Not subject to excitement?—A. A man who can remain calm under extraordinary circumstances.

Q. Have you had such a commanding officer in that department since you have resided there?—A. We have.

Q. Who was he?—A. General O. C. Augur.

Q. Under the administration by General Augur, was there general confidence prevailing among the good people of the border?—A. There was, indeed, and his removal was universally regretted; the people at large were very sorry to see him go away.

Q. How did the force under General Augur compare with the force ever since?—A. There was a very small force at the time that General Augur was there; there were none but colored troops; there were no white troops at all.

Q. And was there a greater feeling of security under his administration, with the few troops, than there has been since with an increased force?—A. Yes; I think there was.

Q. What led to that feeling of security?—A. A knowledge of the character of the commander of the department.

Q. Does the same feeling of security prevail now among the people?—A. I cannot say anything but what I know myself.

Q. From the general speech of the people?—A. I do not think so.

Q. Does that arise from the differences in the characteristics of the commanding officers?—A. I would like to object to answering that question.

By Mr. MARSH:

Q. For what reason—because it would reflect on General Ord?—A. I suppose so.

Q. Is that the reason you decline?—A. I have personal reasons for declining.

By Mr. BRAGG:

Q. Is General Ord impulsive?—A. He is, very.

Q. Changeable?—A. Yes, sir.

Q. Operated upon by slight causes or reports?—A. That is his reputation.

Q. Does he keep a newspaper reporter at his headquarters?—A. Yes, sir.

Q. All reports that come there are given to the press?—A. I believe most of them are.

Q. How often does he visit the border?—A. He has been on the Upper Rio Grande within the last year, and on the Lower Rio Grande about eighteen months ago, but only for two days. He did not go beyond Matamoras.

Q. What is the rank of the officers in command of the posts along the Rio Grande?—A. Colonel Sweitzer holds the rank of lieutenant-colonel of the Eighth Cavalry, recently promoted, but he was relieved just as I left there. He was relieved by Colonel Sykes.

Q. Was there any announcement made at Brownsville anticipating the arrival of Colonel Sykes?—A. None whatever. The troops under him arrived without the knowledge of the commanding officer at Fort Brown, except that it was known from the steamship agent that three companies of troops had been shipped from Galveston for Fort Brown, but it was not known what troops they were, or who commanded them.

Q. Was any provision made for these troops on their arrival?—A. None whatever.

Q. How long was it after they arrived before the commanding officer of the department notified the commanding officer at Brownsville that the troops were to arrive?—A. Several days afterward. Colonel Sykes was a guest at my house with his family for several days, from the fact that there was no place for him to go. The post was overcrowded, no provision having been made for his reception, and they were camping in the hotel. During my absence at my ranch, Colonel Sweitzer called upon my book-keeper and asked him to permit Colonel Sykes to take up his quarters in my house, my family being away and my house unoccupied. I found him there on my return. I asked Colonel Sykes where he was to take command, and he informed me that he did not know. He said that he had been originally ordered to San Antonio, but that on his way down a telegram reached him ordering him to proceed to Fort Brown. That was all he knew. Subsequently he took command, by virtue of seniority, and a few days later he received orders to take command.

Q. What is the state of discipline among the enlisted men on the Lower Rio Grande?—A. The state of discipline of the troops stationed at Fort Brown is very good.

Q. How is it at the other places?—A. I do not know.

Q. Do the officers frequent Brownsville?—A. Yes, sir.

Q. How often?—A. Very seldom.

Q. What are their habits when they come to town?—A. That is a question which I do not like to answer.

Q. I mean as to swagger—is it all quiet and orderly?—A. Yes, sir; I suppose so.

Q. Have there been during the past season any inflammatory hand-bills circulated on the Lower Rio Grande, on the Texas side?—A. Yes, sir; I saw a hand bill printed at Corpus Christi headed "War imminent," and calling on the citizens of Corpus Christi to meet at the Market Hall for the purpose of enrolling themselves into military companies, stating that John S. Ford was then in the city, with power from the governor of Texas to raise a regiment. One of these circulars was sent to me, and I saw a copy at Fort Brown.

Q. Do you know whether they were generally distributed?—A. Yes, sir; they were.

Q. Give us as well as you can their purport.—A. I have given the substance of it, that it behooved the people to defend their country and to repel invasion; that a war was imminent, and that they would be called upon to uphold the honor of Texas.

Q. Did you go to the meeting?—A. I did not; the meeting was at Corpus Christi.

Q. You do not know what took place there?—A. I know what took place there from report.

Q. Were the proceedings of the meeting published?—A. They were.

Q. In what paper?—A. In the Corpus Christi papers.

Q. So that they had general circulation?—A. Yes, sir.

Q. State what the proceedings purported to have been.—A. At that meeting at Corpus Christi, a speech was made by Colonel Ford in conformity with this hand-bill calling for volunteers, and stating that he was empowered to raise a regiment, but he did not succeed in getting men.

Q. You have not stated when that was?—A. That was about the time of this Rio Grande City jail trouble; it was in the fall of 1877.

Q. Were there any other meetings held?—A. I understood that there were meetings held in Austin and in San Antonio.

Q. How did you come to know of meetings being held there?—A. I heard of them by common report.

Q. For what purpose were they held?—A. For the purpose of organizing regiments.

Q. Then I should judge that all along that border the air was filled with reports of the organization of regiments and of the invasion of Mexico, was it not?—A. It was at that time.

Q. What effect did that produce upon the Mexican population; did it have a tendency to allay or quiet them, or to inflame and exasperate them?—A. Of course it tended to inflame and exasperate and irritate them.

Q. Has that been the condition of things during the summer and fall of 1877?—A. It has been.

Q. And was that condition of things prevailing at the time that these negotiations were being carried on for extraditing these criminals?—A. Yes, sir.

Q. Who is Colonel Ford?—A. He is an old settler on the Rio Grande.

Q. An original Texas ranger?—A. Yes, sir. He first belonged to the McCullough Rangers, and subsequently commanded a company of rangers in 1859. I think that he commanded a regiment during the war, on the Confederate side.



Q. Was he at Brownsville?—A. Yes; that is his home.

Q. Did he make a speech on the subject at Brownsville?—A. No, sir; in fact, he denied it to me personally at Brownsville. We are personal friends. I had heard such a report, and I asked him if it was true that the governor had authorized him to raise a regiment. He denied it, but the day afterward he suddenly disappeared, and the next I heard from him he was at Corpus Christi.

Q. And then you read the report of the meeting at Corpus Christi?—A. Yes, sir.

Q. How many meetings were held to raise Texas troops?—A. There were several, as I understood, at Corpus Christi, at San Antonio, and at Austin.

Q. At which Colonel Ford was present?—A. Yes, sir.

By Mr. MARSH:

Q. What was the object of these meetings?—A. To raise Texan troops.

Q. To do what?—A. The understanding was to invade Mexico.

Q. Why?—A. There was a war feeling there. They all thought that we were going to have war.

Q. Did they want to invade Mexico in order to help Diaz, or Escobedo?—A. I do not know that that entered into the question at all.

By Mr. BRAGG:

Q. This invasion of Mexico which Texas proposed had no relation to either of the Mexican governments?—A. No, sir.

Q. Is there a portion of the Mexican people that is out of employment, and that is continually looking forward to the time when they can invade Mexico and capture that country?—A. There are people living on the Rio Grande who have grown old and gray waiting for the time when they can do so. They have nothing to lose and everything to gain.

By Mr. MARSH:

Q. Where do you reside?—A. At Brownsville.

Q. How long have you lived there?—A. Going on eight years.

Q. Where did you live before you went there?—A. In Georgia.

Q. What business have you been engaged in since you went there?—

A. I started as post-trader; then I went into the banking business and contracting with the government.

Q. Why were you selected by General Benavidez to carry a message up to Camargo?—A. In the first place, he came recommended to me, and, in the second place, he knew that I was friendly toward General Diaz, General Diaz having lived in Brownsville for quite a number of months before he crossed over into Mexico.

Q. Who recommended General Benavidez to you?—A. General Diaz.

Q. Have you been occupying any confidential relation toward General Diaz?—A. Well, yes, sir; you may call it confidential. What do you mean by confidential?

Mr. MARSH. You may answer the question as you understand it.

The WITNESS. If you give me a definition of confidential, I will answer you.

Q. When did you first become acquainted with General Diaz?—A. I think it was in the spring of 1876.

Q. Were you instrumental in assisting General Diaz in creating the revolution in Mexico, by means of which he came to the chief magistracy of the country?—A. I am a contractor, and in my business I furnish supplies to any one who calls and pays for them, and who can pay

for them, and I contracted with General Diaz for certain supplies, for which he promised to pay, and for which he subsequently did pay.

Q. Where was General Diaz at that time?—A. At Brownsville.

Q. Is that where General Diaz started his raid upon the Mexican Government?—A. He started over there.

Q. Did you furnish him with money to carry on his revolution?—A. No, sir.

Q. Did you furnish him with means to carry it on?—A. No, sir.

Q. What supplies did you furnish to him?—A. I contracted to supply a certain number of arms and ammunition.

Q. To enable him to carry on this revolution?—A. That I do not know. I do not meddle in Mexican politics; I simply sell as a merchant. I do not take any stock in Mexican politics. I only sell goods on the American side of the river; never in Mexico. No matter what administration exists in Mexico, I can go there without any fear. I have also furnished supplies to the other party in Mexico; I have furnished supplies to General Escobedo at the very time when General Diaz's forces were in possession of Matamoros and when Escobedo was going to drive them out. I furnished supplies to him on the ground that I was simply acting as a merchant and as a contractor who sold his goods for cash wherever he got the best profit.

Q. Where was General Diaz and where were you when you contracted to supply these arms, and when was it?—A. It was in Brownsville, in the spring of 1876.

Q. Did General Diaz tell you that he wanted those arms for the purpose of creating a revolution in Mexico and establishing himself as president?—A. No, sir.

Q. Did he tell you what he did want them for?—A. No, sir; but it was understood well enough what he wanted them for. There was no necessity of his telling me so.

Q. You say that you sold for cash?—A. I sold to anybody who paid me.

Q. Did you sell to him on credit or for cash?—A. I sold to him on a promise to pay.

Q. Then you did not sell to him for cash?—A. When I said that I sell for cash, I mean that I sell to anybody who pays me. I do not mean money paid down. I did not get the money from Escobedo, either, until I delivered the supplies.

Q. Were you assisting and encouraging General Diaz in his raid on the Mexican Government in 1876?—A. No, sir; I never took part in any Mexican politics. My politics cease with my pocket.

Q. Was it understood that if General Diaz was successful in his revolution you would have a good, big, round percentage of profit on the arms which you furnished, and that if he did not succeed you would not get anything?—A. It was understood that I was to be paid a good profit for the goods for taking a certain amount of risk; but, as far as being paid nothing was concerned, that was another question. I took the chances on that.

Q. Then the risk which you took was the chance whether Diaz would succeed or not?—A. Yes; in a measure.

Q. Then you have been interested pecuniarily in the success of the Diaz government?—A. Yes; so far as that transaction was concerned.

Q. Have your sympathies and feelings been in the interest of the Diaz government?—A. They have indeed.

Q. As well as your pecuniary considerations?—A. Certainly they have. I am on intimate terms to-day with General Diaz.

Q. And that is why General Benavidez called upon you to go on this confidential mission to Camargo?—A. Yes, sir. If it were necessary, I could even produce a letter which I have here, in which General Benavidez thanked me for my services on that occasion.

Q. Why did not General Benavidez send his communication in writing to the mayor or alcalde of Camargo?—A. I stated that he did so.

Q. And you were the bearer of it?—A. Yes, sir.

Q. Were you paid for making that expedition?—A. No, sir.

Q. You made it simply as a matter of accommodation to General Benavidez?—A. Simply as a matter of good feeling, and because I wanted to avoid trouble on the frontier, of which I was apprehensive; because I do not see any reason for war between the two countries and I never did, and I was afraid that a collision would take place. So I acted as much in my own interest as I did for General Diaz.

Q. Have you had any communication from General Diaz's government?—A. Not recently.

Q. How recently?—A. Not within the last eight months.

Q. Were those communications of a confidential relation?—A. They were.

Q. Did they bear on the troubles on the Texas border, or did they treat upon the business relations existing between you and the President of Mexico?—A. Neither. The last communication which I had from General Diaz simply requested me to see General Mata, who had been sent as special envoy to Washington, and to explain to him the matters upon the Rio Grande. President Diaz telegraphed me to that effect, asking me to try and meet Mata and explain to him how matters stood on the Rio Grande between the two governments.

Q. That was about eight months ago?—A. Yes, sir.

Q. Have you not occupied the relation of a confidential agent or adviser of the Diaz government?—A. No, sir; I have acted as a friend, nothing else. If I had been a confidential agent, I certainly would have worked for pay, which I have not done. I acted simply as a matter of friendship, and without pay.

Q. How did you happen to come to Washington on this trip?—A. I was subpoenaed to appear before the Committee on Foreign Affairs.

Q. At whose suggestion were you subpoenaed?—A. I think it was at the suggestion of Colonel Ford, perhaps.

Q. Was Colonel Ford a partisan of Escobedo's in any sense of the word?—A. No, sir; not that I know.

Q. Was he employed by Escobedo to get up raids into Mexico in order to divert and weaken the strength of Diaz?—A. Not that I know.

Q. Were you the medium of the Mexican Government to pay Ford any money?—A. I was at one time—not to pay Ford, but I was authorized to expend a certain amount of money.

Q. Authorized by whom?—A. It seems to me that this is a matter of business relations and not a question touching public affairs, and I decline to answer.

Q. Did you expend any money on that business for which you were authorized by the Mexican Government to expend money?—A. That is a question which I decline to answer.

Q. Where was it that you were authorized to expend that certain amount of money by the Mexican Government?—A. I claim that that is in my private affairs and I decline to answer.

Q. From whom did that money come which you were authorized to pay?—A. I decline to answer that question.

Q. From whom did the authority come?—A. I decline to answer.

Q. Was Colonel Ford engaged in any movement to get up an invasion of Mexico?—A. I believe that Colonel Ford was.

Q. When?—A. Some five or six months ago.

Q. When was it that you were authorized to expend a certain amount of money?—A. I decline to answer.

Q. You decline to answer when it was?—A. Yes.

Q. Was it about six months ago when Colonel Ford was organizing this movement into Mexico?—A. It was about six months ago when Colonel Ford was organizing this movement.

Q. Was that the time when you were authorized to expend this certain sum of money?—A. No, sir.

Q. Were you occupying any confidential relations with Colonel Ford in reference to his projects?—A. None, whatever.

Q. Was Colonel Ford in the pay of Escobedo or Diaz?—A. Not that I know of.

Q. Are you in the pay or the employment of the Diaz government?—A. I am not.

Q. In any capacity whatever?—A. None whatever.

Q. Have you got your pay for the arms that you sold to Diaz?—A. I have.

Q. What did that transaction amount to?—A. Sixty thousand dollars.

Q. How many guns were there?—A. I do not recollect exactly; there were different lots, and there was also ammunition.

Q. When did you receive your pay?—A. I was paid last spring, in the city of Mexico.

Q. Were you in the city of Mexico last spring?—A. I was.

Q. Did you see Mr. Diaz there?—A. I did.

Q. How many interviews did you have with him while you were there?—A. I saw him nearly every day—whenever I wanted to.

Q. How long were you there?—A. Three weeks. I had a *carte-blanche* to the palace as well as his house.

Q. Did you and Diaz talk about these troubles on the Mexican border?—A. Frequently.

Q. Was anything said between you and Diaz about Colonel Ford?—A. Not a word.

Q. Colonel Ford's name was never mentioned?—A. It was never mentioned.

Q. Was anything said about Escobedo?—A. Not at that time. At that time Escobedo had not made his appearance.

Q. When was it that Escobedo made his appearance?—A. He came there during the summer of 1877.

Q. The time that Escobedo made his appearance—was that about the time that Colonel Ford was holding these meetings?—A. It was long afterward.

Q. How long ago was Colonel Ford holding these meetings?—A. Not more than four or five months ago.

Q. It was about six months ago that Escobedo made his appearance?—A. Longer ago than that—six or eight months. I only speak to the best of my knowledge.

Q. You say that for the last six months there have been no regularly organized raids from Mexico on the Lower Rio Grande?—A. Not to my knowledge.

By Mr. MAISH :

Q. What portion of Texas is most subject to those raids? Is it the country between the Nueces and Rio Grande?—A. Yes, sir.

Q. What has been the effect of those raids on that country?—A. They have destroyed the trade of the country and prevented the raising of cattle. For instance, on my own lands I cannot raise cattle, because I would not be allowed to keep them.

Q. Where do they find a market for their cattle?—A. In Mexico.

Q. I have heard witnesses say here that this raiding has depopulated that country.—A. It has.

Q. Do you say that that country has decreased in population?—A. In American population, without a doubt, because there have been a great many Americans killed.

Q. What is the proportion of Americans to Mexicans in that region of the country between the Nueces and the Rio Grande?—A. I should say the proportion is one American to twenty Mexicans.

Q. Has this raiding decreased the population of the people of Mexico raised in that country?—A. Not that I know of.

Q. Do you know anything about the statistics of those counties along the Rio Grande?—A. I do not.

Q. Do you know whether or not they have decreased in population?—A. I cannot say.

Q. Or whether they have increased in stock?—A. They have decreased in stock.

Q. Do you say so?—A. I say so.

Q. Have you ever examined the statistics on that point?—A. I have not examined the statistics, but I know that there is hardly any stock now between the Nueces and the Rio Grande. In former years you could see the prairies alive with stock. It is true, there is stock raised there now, but none near the Rio Grande, as stock cannot be raised there on account of its liability to being stolen.

Q. What are the counties between the Rio Grande and the Nueces?—A. The counties along the border are Cameron, Hidalgo, Starr, Zapata, and Webb.

Q. Have you ever examined the census of those counties?—A. No, sir; I never examined it. What I say here I get from common report.

Q. I have here, for instance, a table of statistics of the county of Cameron for the year 1851, and a table for the year 1870. I find that in 1851 Cameron County had 212 horses and 1,316 head of cattle; and that in 1870 it had 8,983 horses and 38,038 head of cattle. These reports are taken from the comptroller of the State of Texas.

Mr. MARSH. I object to that going into the testimony.

The WITNESS. I do not believe in those reports. For instance, a short time ago I wanted to buy a piece of property, in Brownsville, which was assessed at \$2,300. I was to pay for it in cash, and yet the owner asked me \$10,000 for it. They have to pay taxes on their property, and they do not always give the correct information.

Q. I have in my hand what is called the Texas Almanac for 1870. Do you know anything about it?—A. No, sir.

Q. It is published at Galveston, in the State of Texas, and it contains tables giving the number of horses and their value, and the number of cattle and their value. I shall furnish a table of all these matters. You say you do not know anything about them?—A. I do not.

Q. What is the condition of affairs in Texas itself, as regards the security of life and property among the people?—A. It is there as in any other country on the border; life is held very cheap, and there is very little security for life or property.

Q. What is the feeling between the population of the Mexican race living in Texas and the Americans?—A. It is very antagonistic. The



lower class of Mexicans (such men as live on the border) claim that they were robbed of Texas by force, and they have never got over it. They look upon Americans with a great deal of distrust.

Q. Are the civil authorities of Texas able to enforce law and order?

—A. No, sir.

Q. Do they do so?—A. No, sir; they are not able to do so.

Q. What is the result of it?—A. General lawlessness.

Q. Is there a state of anarchy there?—A. Yes, sir; more or less.

Q. Are robberies and murders committed by persons living in Texas?

—A. Frequently. In a former portion of my testimony I stated murders that were committed in Texas during last summer, but not for the sake of robbery.

Q. Do you know anything about some Mexicans having been hanged near Brownsville not long ago by Americans?—A. I know of no case within eighteen months or two years.

Q. When was it that they were hanged?—A. There were some hanged there, but I do not recollect the circumstances.

Q. What is your judgment about the policy or wisdom of the order to pursue raiders on a fresh trail into the territory of Mexico?—A. As I stated before, I am friendly to General Diaz; but the remark that I wish to make is without any reference to that feeling. I wish to state that if General Diaz were recognized by the United States Government as President *de facto* (which he is), it would untie his hands and strengthen him, so that troops which he is using in the interior could be sent to, and would be sent to, the frontier to protect his own territory. There would be no necessity, in all events, for Americans to cross the river; because their crossing is certainly calculated to bring about a collision sooner or later.

Q. Have you any personal knowledge of any raids made into Texas at any other time?—A. I have. In traveling along the road I have run into a band of thieves.

Q. How do you know that they were a band of thieves?—A. I know nearly all the men living on the American side along the bank, because I have constant business transactions with them. These men were driving cattle, and were strangers there. They were Mexicans and had crossed over from Mexico. There were forty or fifty of them, and not less than from two hundred and fifty to three hundred head of cattle, which they were driving toward the river. It was at this very place, Las Cuevas.

Q. Do you know whether those cattle were stolen?—A. I have no doubt in the world about it.

Q. Do you know whether sometimes persons residing in Texas connive at those raids?—A. I have no doubt they do, because Mexicans who are American citizens have relatives on the other side of the river and have frequently assisted them. I know of one such instance on my own place. I have a Mexican living right on my line, about twelve miles from the river—not on my land. He owns ten acres which belonged to another tract, and which he bought. This man is a notorious thief, and harbors thieves from Mexico, yet I cannot get him out. He has some cattle, and he herds them on my land, and I cannot stop him and cannot get him away from there.

Q. Do you know whether or not there are any Americans—I mean of Anglo-Saxon race—residing in Texas who are interested in those raids?—A. Yes, sir. I know a man who was killed in the act of horse-stealing; and I have a neighbor, an American, by the name of Neil Millstead, who is in the first place a murderer, and who is not only a thief him-

self, but is the aider and abettor of thieves coming over from Mexico. He has sons-in-law, Mexicans, who married his daughters, and who are notorious thieves. They are living right around me, and these are the men whom I have to protect myself against.

Q. Do you know whether or not there are Texans who are interested in bringing about a collision between Mexico and Texas?—A. Of my own personal knowledge, I do not. I have heard reports of that kind, but I do not know anything of my own personal knowledge.

Q. Do you know of a case in which the United States troops ever prevented a raid from Mexico?—A. They have intercepted raiders; I do not know that they have ever prevented raids.

Q. You do not know any case where they have prevented raids?—A. No, sir; I do not see how they could prevent them.

Q. You speak of there being forty or fifty raiders armed; that they come over sometimes in bands armed with Winchester rifles?—A. Yes, at that very place, Las Cuevas. From Ringgold Barracks to Laredo, fifty-odd miles, there is not a soldier, and never has been except a short time, when there was a small detachment.

Q. If our United States troops had encountered that band they would have prevented them?—A. Of course they would have.

Q. But you do not know a case in your experience there where the troops have encountered such a band, do you?—A. No, sir.

Q. Where have they intercepted them?—A. I know of one case at Roma, above Ringgold Barracks. And frequently at times several years ago they would meet them and disperse them and capture a few head of cattle, but hardly ever capture any of the thieves; they would get away.

Q. You spoke of those officers of ours being in Mexico; do our officers go into Mexico frequently?—A. Yes, sir; they go into Matamoras the same as you would go into Alexandria.

Q. Whom have you seen there?—A. Everybody.

Q. Mention the names of officers you have seen.—A. I could mention the name of every officer at the post; there is not an officer there but goes to Matamoras.

Q. You have seen them at Matamoras?—A. Yes.

Q. Camargo?—A. Yes.

Q. Laredo?—A. Yes; and I have seen them at Reynosa.

Q. Have you ever seen any of the privates in Mexico?—A. Of course; you can see them every day, for that matter.

Q. It is a common thing, is it, for officers and men to be seen over there?—A. Yes, sir; there is not a day that you cannot see them there all the time.

Q. How do our troops pursue those raiders? I mean how are they generally equipped; do they take with them their baggage trains?—A. They generally take forage along, and take wagons along as a general thing.

Q. How fast can they travel in that way?—A. Twenty-five miles a day, and probably thirty when the roads are good, and frequently when making raids they designate a point for the wagons to come to and the troops start ahead.

By Mr. WHITE:

Q. You were asked the question whether you have ever known United States troops to prevent raids, and you replied that you had not, but that you had known them to intercept raiders. If United States troops

were not stationed there, would not raids be more frequent and more formidable?—A. Undoubtedly.

Q. If United States troops were not stationed along that border, property on the American side would be of no value?—A. Of no value whatever.

Q. Then, from your experience there, the presence of United States troops is necessary for the protection of the rights of American citizens?—A. It is the only protection that we have, for civil authority there does not amount to anything at all. We have no protection except that given by the military.

By Mr. MAISH :

Q. You mean that you would have no protection there in Texas from Mexican raids without the presence of the troops?—A. Yes, sir; no protection whatever.

Q. You think that the Texas authorities would not afford any protection?—A. They could not. We never have had any there.

Q. Then the United States troops perform the double duty of protecting you against the Mexican raiders and of assisting the civil authorities?—A. They assist the civil authorities on all occasions.

By Mr. WHITE :

Q. Would the State of Texas be able to keep the peace on that border without the assistance of the United States troops?—A. That is a very hard question to answer.

Mr. WHITE. I know that; I only want your opinion.

The WITNESS. I hardly think so, because the United States troops are, as a general thing, officered by men who were brought up as soldiers, and they have thorough discipline, whereas the State troops are pretty much allowed to do as they please, and they would bring on a collision sooner or later.

Q. You have stated that you have known raids from the Mexican side to be aided and abetted by the assistance of Texan citizens?—A. Yes, sir.

Q. If that aiding and abetting had not occurred from the Texan side would those raids have taken place?—A. They would probably have taken place, but there would be a chance that information would have been given, and the raids might have been intercepted. But these men who will give aid to the raiders will not give information, and will not allow any one else to do so; and if any Mexican should undertake to carry the news, and if the fact was found out, he would certainly be killed.

Q. Then a number of raids have been aided and encouraged by Texan citizens themselves?—A. I mean to say that nearly every raid from Mexico into Texas receives aid from parties living in Texas.

Q. Cannot the Texan authorities prevent that aid and encouragement by Texan citizens?—A. I do not think they can, because the country is very sparsely settled and there are very few white persons there, and the Mexicans, as a class, will not give information.

Q. Is it not an offense against the criminal laws of Texas for citizens of that State to encourage organizations for despoiling the property of the people?—A. Of course it is; but you cannot prove it on them.

Q. Are there courts in existence there in which such people can be tried?—A. Yes, sir.

Q. Do you know any instance in which they have been brought to

court?—A. Not unless they were caught directly in possession of stolen property.

Q. But you said a few moments ago that there were some depredations being committed on your premises, and that you got into your buggy to go there with the deliberate intention of killing the man.

The WITNESS. That was stated in a private conversation.

Mr. WHITE. I understood you to say a few moments ago that you left your home for that purpose.

The WITNESS. That I intended to leave my home.

Mr. WHITE. That you intended to leave your home in the morning determined to kill a person who was committing depredations on your property if he did not desist from doing so. Did I not understand you to say so?—A. I did; from the fact that the man is a murderer and a robber.

Q. Was that man a citizen of Texas?—A. Yes.

Q. Did you go out to kill him?—A. I did not.

Q. Why not?—A. I went to a lawyer who was said to be the adviser of that man, and asked him, in order to be certain what I was doing, whether the man was acting through his advice. I told him that the man said that advice had been sent him through his lawyer and a certain other man, Dr. Smith, who claimed a portion of the land, to go on my property, and I asked the lawyer whether he had given that advice. He stated that he had not; and that Dr. Smith had written a letter to the man directing him instantly to withdraw from the property. I am satisfied that if I had gone out a difficulty would have arisen which would have resulted in bloodshed.

Q. It was a case of civil trespass which a man was committing on your grounds?—A. Yes; but the character of the man is such that he is a terror to the country.

Q. And you would have killed him if he had resisted?—A. He certainly would have resisted, and I certainly would have killed him.

Q. Could you not have laid information against this man and employed the process of law to punish him?—A. I could not; there is no judge there.

Q. Are there not magistrates there?—A. A magistrate cannot issue a writ of ejectment.

Q. Was the taking of the law into your own hands the only remedy you had?—A. It was not taking the law into my own hands. It was simply the same as ejecting a man from my own house when he had no business there. I should have killed him if he had resisted; which he very likely would have done.

Q. Before you started out against this individual you did not think of making an information against him before a magistrate?—A. No; I went to a lawyer and asked him what could be done in the matter, and he remarked that nothing could be done, as the judge was not there and he could not get a writ; he said that he did not know what to do.

Q. This was a grievance; did the law of Texas in that county furnish no remedy for it?—A. No, sir; not at that moment.

Q. Such being the case, a condition of lawlessness exists in that community, does it not?—A. I have stated before that the authorities are hardly able to enforce law without the aid and assistance of the military, from the fact that the country is very sparsely settled.

Q. Did I understand you to say that the civil process cannot be enforced in the State of Texas against her own citizens without the aid of the United States troops?—A. I am not speaking of the State of Texas,

I am speaking of the county where I live on the border; Cameron County.

Q. Do I understand you to say that the civil process of the law cannot be enforced in the border counties of Texas?—A. Not without the assistance of armed bodies.

Q. Not without the assistance of United States troops?—A. Yes, sir; I say so.

Q. Do you think that it is the proper function of United States troops to be on police duty and assisting in the execution of the civil process in the State of Texas?—A. No; I think not.

Q. Is there any other remedy which could be employed to correct these difficulties besides the use of soldiers there?—A. I think so.

Q. What other means would you suggest?—A. I would suggest, in the first place, that a sufficient number of troops be sent there to give protection against raiders, in which event settlers would come to live among us and settle up the country, good men. As it is now, no one comes. By mere chance, some two years ago, I caught a man from North Carolina who had come there with his family to settle, and who was returning because he was scared from hearing that there was no protection. I caught him by accident, took him to my ranch, and settled him there, because there were people living around; otherwise he would have returned to North Carolina, because there is no protection in Texas.

Q. You have spoken of that man Millstead, whom you thought you would have been justified in killing; is he a fair sample of the people of that locality?—A. No; he is not.

Q. Are there peace and order loving people in that community?—A. Yes, sir.

Q. In numbers?—A. Yes, sir. There are some Americans; very good people, right in my neighborhood.

Q. Would they welcome the advent of more peaceable people?—A. They would be very glad of it, indeed. I know that others think as I do. My nearest neighbor has been living there seven or eight years. He is from New York State, and has made quite a little fortune there. He said to me when I brought up this North Carolina man that he wished to God that he could get from fifty to one hundred such men to settle on his land. We were speaking on this very point, of there being no protection there. I placed this man there under very favorable auspices. I gave him a house to live in and told my overseer to let him have any two horses in my possession for twenty-five dollars apiece.

Q. The counties of Cameron, Hidalgo, Starr, Zapata, and Webb are the counties that you speak of as lying along the border where raids have been committed. Can the sheriffs of those counties enforce the laws of Texas against malefactors?—A. Not unless with the aid of State troops.

Q. Can they make arrests?—A. They can make single arrests, but when it comes to intercepting a body of five or six, or eight or ten, they cannot do it unless they have assistance from the military there—State or national.

Q. There are John Jones, John Smith, and others, citizens of those counties, who aid and encourage those raiders to come across from Mexico; can the sheriffs of those counties arrest and bring before the magistrates those individuals?—A. Yes, sir.

Q. Has the effort ever been made to do so?—A. Yes, sir; frequently.



Q. Has there been any instance of that class of people being arrested and tried?—A. Yes, sir.

Q. Have they been convicted?—A. Not that I know of, except they are found in actual possession of stolen property. It is very hard to convict a man of aiding and abetting. These men are all Mexicans, though they are American citizens.

Q. Are there any negroes down there?—A. Very few.

Q. The people in those border counties are generally Americanized Mexicans?—A. Yes, sir.

By Mr. MARSH:

Q. Is there any trouble to convict a negro down there?—A. Not any more than a Mexican. The negroes we have there are principally discharged soldiers, and when any of them commit an offense, witnesses can generally be produced against him. If any one has a spite against another he will swear against him.

By Mr. WHITE:

Q. Then the difficulty of convicting these malefactors is the fear of witnesses appearing against them?—A. Yes, sir.

By Mr. MAISH:

Q. And nobody is afraid to appear against a negro?—A. We have very few negro settlers there. The negroes whom we have there are of no earthly account. They have been in the Army and will not work. I have hired them to work for me, and after they have worked for me a month or so I have had to let them go. They will not work if they can help it.

By Mr. WHITE:

Q. An order has been issued by the War Department here authorizing the following of raiders into Mexico on fresh trails. Can the property of Texan citizens be protected without giving that right to the military?—A. I think it can.

Q. Then you think that the order authorizing the crossing of the border on a fresh trail is unwise?—A. I think so, because I think it will lead to complications.

Q. What remedy would you propose?—A. With a more liberal policy towards the Mexican Government and with a friendly population there would be no trouble. The Mexican Government would send a force down to protect its own border, and as far as the federal government of Mexico is concerned it certainly will not encourage thieves.

Q. Then the remedy which you would suggest to avoid these raids into Texas would be the recognition by our government of the Diaz government?—A. Yes, sir, at present, or of any stable government there.

Q. Suppose that were done, would these raids be prevented?—A. I believe that they would be to the best of the ability of the government.

Q. Suppose that Diaz was recognized, could we then, in your opinion, dispense with the presence of United States troops there?—A. No, sir.

Q. Could we dispense with some of the posts which we now maintain there?—A. No, sir.

Q. Do you think that as much vigilance would be necessary after that recognition as now?—A. I think it would be.

Q. Then why is it that you say that the recognition of the Diaz government by the United States would prevent these raids?—A. I have said before that I saw a report made by General Benavides to General

Diaz, in which he designated the points on the Mexican side of the river where troops ought to be stationed, and asked for an additional force of 1,500 men to be sent down there. But you must take into consideration that whereas it is but 106 or 107 miles down to Ringgold Barracks by the road, it is 250 by the river, and it would be impossible, if only a portion of the river was guarded, to prevent raiders from going over. They will find out where troops are stationed and they will find an opportunity to go over and to return. I think that there ought to be more posts on our side of the river; between Ringgold Barracks and Edinburg, 50-odd miles, there is not a soldier; and from Edinburg to Saltillo, 53 miles, there is not a soldier.

Q. Then you do not think that the recognition of Diaz by our government would dispense with the necessity of troops on our side?—A. O, no.

Q. If that event occurred, do you think it would be necessary to keep the same number of troops there as we do now?—A. I think it necessary to send more and distribute them differently from the way in which they are now distributed.

Q. These raids from Mexico into Texas are for the purpose of stealing?—A. Yes, sir.

Q. Is stealing not an offense in those Mexican States which border on the Rio Grande?—A. Yes, sir.

Q. So recognized by the Mexicans?—A. Yes, sir.

Q. Have they laws in those States which will punish that offense?—A. The civil law is there.

Q. Does the authority existing in those States have the power to arrest, try, and convict those individuals?—A. Hardly.

Q. Does the disposition exist there to do it?—A. In some instances, yes; and in some not.

Q. Have you known an instance where these malefactors have been arrested and brought before the civil authorities and tried for those offenses?—A. I have known them to be tried, but I have not known them to be convicted.

Q. In how many instances?—A. In several instances.

Q. Are they the exception or the rule?—A. They are the exception.

Q. As a rule there is no notice taken of them?—A. Very little.

Q. The whole public sentiment in Tamaulipas, and those States, would be against the arrest and trial of those persons?—A. I am only speaking of a portion of Tamaulipas—yes.

Q. Would the recognition of the Diaz government by our government change that sentiment?—A. It would, because then these things would be in the hands of the military.

Q. This advantage would result because the authority to enforce the law would be stronger?—A. Yes, sir.

Q. Then these raids, which go on from time to time, are not the result of any prejudice on account of the non-recognition of Diaz?—A. I do not know that they are.

Q. Was it a frequent occurrence about Brownsville, within the last couple of years, to see Mexicans hung up on trees?—A. No, sir; not of frequent occurrence. I have never seen any. I have heard of such things.

Q. Did you ever see, since you have been at Brownsville, Mexicans hung up on trees?—A. I never have. I have heard of such things taking place, but I have not seen them.

Q. Do you know of a man named Burke, a citizen of Brownsville, being engaged in such an enterprise?—A. It was said that he had been.

Q. What became of him?—A. He is dead now; he died a natural death.

By Mr. BRAGG:

Q. Is it not true that at the close of the war Western Texas was filled up with desperadoes and cut-throats of the worst character?—A. I was not there at the close of the war.

Q. When you first went there, was not that the character of the majority of the people?—A. There were more of that character there then than there are at present.

Q. Was there an element of cut-throats and desperadoes roaming through Western Texas, and claiming to live there, sufficient to prevent decent people from enforcing the laws on criminals for fear of personal violence to themselves?—A. I cannot say.

Q. Is not that the case in the county where you live to-day?—A. No, sir.

Q. Then why should you choose to resort to arms because the court was powerless in a civil case?—A. This man that I refer to has been tried repeatedly.

Q. But he always escapes because no one dare testify against him?—A. Not that so much as because he has got considerable property and can bring men to testify in his favor.

Q. Does the facility which they have for bringing false evidence there render the court powerless?—A. This terror exists only among the Mexicans. They are afraid of the men of their own race. They are afraid that if they give information against a Mexican they will be killed afterward.

Q. Have you not desperadoes there who are Americans?—A. This man Burke I always considered a desperado.

Q. I have here an article from the San Antonio Express, published a few days ago. Are you familiar with that paper?—A. Yes, sir.

Q. Who edits it?—A. I do not know.

Mr. BRAGG. The article is as follows:

If there is any one thing more than another the people of Western Texas have to congratulate themselves upon in connection with the progress of the year 1877, it is the breaking up and almost entire eradication of the bands of cut-throat desperadoes that infested our section a year ago. Strong in numbers and the self-interest that banded them together, they had defied the officers of the law, and laughed at the idea of arrest and punishment for the serious crimes almost daily committed. But the rangers entered in among them, and their presence gave encouragement to the officers of the law, and now the penitentiary and jails are almost crowded with the scoundrels; most of the ringleaders have been arrested, and the others have become demoralized; they are being hunted down and driven from the country. Crime in Western Texas has been almost paralyzed, and barring the acts of desperadoes who cross the river from Mexico, Western Texas is to-day as safe a place for peaceable, law-abiding citizens as any part of the United States with the same population. The reform has been great. The people who a year ago feared to raise a hand or voice against the ruffians in their midst are now among the foremost to join in the pursuit of a murderer or thief, for they feel that at last the law-abiding element has obtained the upper hand. Give us, now, protection against the Mexican raiders, and life and property will be as safe in Western Texas as in any State in the Union.

Does that article state truthfully the condition of things as they have been or are now in Western Texas?—A. Yes, sir; but that state of things has not existed so much with us as more in the interior.

Q. Then, if I understand that article aright in its import, the State of Texas has been obliged to organize a military force in other parts of the State besides the Rio Grande frontier, for the purpose of suppressing, by the strong arm of the military, cut-throats and robbers whom the

law-abiding citizens dare not raise their hands against?—A. That is the way I understand it.

Q. Is that the fact? Is that the condition of society in the State of Texas?—A. Yes, sir.

Q. How much more power is there in the border counties on the Texas side of the Rio Grande to punish these criminals, independent of the military force, than there is on the Mexican side?—A. We have not as much power on our side as there is in Mexico.

Q. You have not as much power?—A. No, sir.

Q. And the border counties in Mexico, so far as their civil powers are concerned, are stronger than the border counties in Texas?—A. Yes, sir.

Q. You spoke in your former examination of Colonel Ford. What is his familiar name there; by what title is he generally called?—A. They call him "Old Rip" Ford. In fact, they only call him "Old Rip." Every one knows whom that designates.

Q. I see by a newspaper article which I have before me that he is designated as having been a buccaneer on the border ever since the war; does that designation describe him well?—A. The term "buccaneer" is applied more to a pirate than to anything else.

Q. This article says: "Some of his own party would drive off a lot of cattle, and when they were *en route* for Monterey he would hurry to Roma and send a special telegram to the New York Herald, which special would be paid for by himself, giving an account of another Mexican raid." Do you know of anything of that kind which he and his associates engaged in?—A. I do not.

Q. Who are his principal associates about Brownsville?—A. Every one. His standing is good. There is nothing against his personal character.

Q. But he is recognized as a flibusterer?—A. Yes, sir; in general terms.

Q. He avails himself of every opportunity to get up sensational items about wrongs perpetrated on Texans by Mexicans; does he not?—A. He may.

Q. He is continually talking, is he not, about the necessity of raiding on Mexico and conquering her territory?—A. He is speaking of war frequently.

Q. What does he do for a livelihood?—A. He is a lawyer by profession.

Q. What practice does he have in the courts?—A. He has not much practice.

Q. He is a lawyer by profession, but he does not practice?—A. He is in practice, but he has not much practice.

Q. What does he do for a livelihood?—A. I believe he attends to law cases, and does some writing.

Q. Is he the recognized leader of the bands who are anxious to invade Mexico?—A. I do not know that he is; he is not the recognized leader.

Q. Is he one of the leaders?—A. Yes, sir.

Q. Who else is there?—A. No, one. He is the only one in my county.

Q. Who are the men whom he gathers around him when he is engaged in making these inflammatory speeches, and indulging in his dreams of Mexican conquests?—A. He has no followers in Brownsville. He did not even hold a meeting in Brownsville when he tried to raise a regiment.

Q. How does he stand with the *cow-boys*?—A. Very well. He is an old settler, and they think he is a great leader.

Q. Then he is the recognized leader of the *cow-boys*?—A. He is not exactly their recognized leader, because I do not know of any body of men who belong to him.

Q. How large a portion of the population have you about Brownsville who are not of that class—cow-boys and herders without occupation?—A. Very few.

Q. Where do the men of that class mostly congregate?—A. Mostly in Nueces County.

Q. Suppose that a body of our troops were to cross the Lower Rio Grande where the Mexican settlements exist in any extent, what would be the result?—A. The result would be a collision. Even if they did not come in collision with the military of Mexico the citizens would never permit it.

Q. Then the crossing of the river would necessarily lead to bloodshed, would it?—A. Yes, sir.

By Mr. WHITE:

Q. You have stated in your testimony that Colonel Ford was organizing an expedition against Mexico about six months ago?—A. Yes, sir.

Q. Where was he organizing it?—A. He was trying to organize it.

Q. Did he get any adherents?—A. He did not succeed.

Q. Was it pending that movement of Ford's that you commenced negotiations with him?—A. No, sir; I had nothing to do with him.

Q. Had you any negotiations with Colonel Ford while he was making any hostile demonstrations against Mexico?—A. None whatever. The business was entirely private.

Q. Had you any negotiations with Colonel Ford in behalf of the Mexican Government?—A. Not directly, as coming from the government. It was a private transaction.

Q. Did you, representing the interest of the Mexican Government, and while you so represented it, have any negotiations with Colonel Ford?—A. None whatever.

Q. Then you did not, in behalf of the Diaz government, have any transactions with Colonel Ford in regard to his conduct toward Mexico?—A. No, sir. I have stated that I was not the agent of the Mexican Government.

Q. Or its representative?—A. No, sir.

Q. You did not act in the interest of the Mexican Government?—A. I have not said that. I simply say that I was not its agent.

Q. When did Diaz's revolutionary movement begin?—A. In the spring of 1876.

Q. You stated that it started from Brownsville. Did he organize his forces while he was at Brownsville?—A. No, sir; not at Brownsville.

Q. While he was at Brownsville, was he organizing his forces in Mexico?—A. I suppose so. He had forces already organized at Matamoras.

Q. Was he controlling them?—A. Not that I know of.

Q. Where did he make his headquarters while he was in Brownsville?—A. He rented a house at Brownsville.

Q. Were you in intercourse with him while he was making this movement?—A. I was. I did not know him before that.

Q. How long did he remain in Brownsville after he commenced his movement to get possession of the government?—A. I cannot tell. While he resided in Brownsville there were troops organized for him in Mexico.



Q. Who had organized them?—A. They were under different revolutionary leaders there.

Q. How long did he remain in Brownsville during the progress of his military movements?—A. Several months.

Q. As much as three months?—A. Yes, sir.

Q. Then he commenced in the spring of 1876?—A. I would say in January, 1876.

Q. How long did he remain there?—A. I think he went away in March or April.

Q. In the mean time movements were going on in Mexico?—A. Yes, sir.

Q. And he was controlling them?—A. I do not know anything about that. I had no connection with him whatever, except so far as my legitimate business was concerned.

Q. During your intercourse with Diaz were you conversant with his movements while he was in Brownsville carrying on his revolutionary project?—A. No, sir.

Q. While he was carrying on his movements were you not his confidential financial agent?—A. No, sir.

Q. At that time did you not furnish him in money or credit as much as \$100,000?—A. No, sir.

Q. Did you furnish him with any money during the progress of his revolutionary movements?—A. No, sir.

Q. All that you ever did was to furnish him with arms?—A. Yes, sir.

Q. What was the precise date at which you furnished the arms?—A. I cannot tell.

Q. Was it while he was in Brownsville?—A. It was while he was in Brownsville.

Q. Where were those arms delivered?—A. That relates to my private business, and I decline to answer.

Q. Were those arms delivered at points designated by Diaz?—A. No, sir.

Q. Did they get into the control of Diaz or of his forces?—A. That I do not know. They did not get under his control.

Q. Under whose authority did you deliver them?—A. I made a contract with General Diaz himself personally.

Q. Did you deliver those arms at the points where you contracted to deliver them?—A. I did.

Q. Where were those points?—A. That I decline to answer. They were not delivered in Mexico.

Q. Were they delivered in Brownsville?—A. No, sir.

Q. Were they delivered in the United States?—A. They were delivered in the United States.

Q. To Diaz's agent?—A. No, sir.

Q. Were they not delivered to a representative of Diaz in the United States?—A. No, sir; I had my own representative.

Q. Then they were delivered to your own agent?—A. Yes.

Q. Did your own agent take them into Mexico?—A. That I decline to answer.

Q. Who was your own agent?—A. That I decline to answer. It refers to my private business.

Q. Where were these arms purchased?—A. In New York.

Q. All at one time?—A. They were all ordered at one time.

Q. Did the agent to whom they were delivered in the United States convey them to Mexico?—A. No, sir.

Q. Was it your contract to deliver them in Mexico or in the United States?—A. That I decline to answer.

Q. When Diaz left Brownsville to go to Mexico where were you?—A. I think that at that time I was in Columbus, Ohio.

Q. Did he go from Brownsville to Matamoras?—A. Yes, sir.

Q. How long did he remain in Matamoras after he got there?—A. I think two or three weeks.

Q. After he left Matamoras, where did he go?—A. Into the interior of Mexico.

Q. Were you in Matamoras before he left to go into the interior?—A. I got there the day before he left.

Q. Did you go there to see him?—A. I did.

Q. Did you have interviews with him?—A. I did.

Q. Had you furnished those arms before that?—A. No, sir.

Q. Was your contract still subsisting while he was at Matamoras?—A. Yes.

Q. Was your conference there with him in regard to those arms?—A. Yes, sir.

Q. And you were apprised of his movements?—A. I was not apprised of them any more than that on the day that I came to see him he told me that he was going to move.

Q. Military operations were then going on in Mexico?—A. Yes. He was in possession of the city of Matamoras.

Q. And war was flagrant in Mexico at that time?—A. Yes.

Q. You came back from Matamoras to Brownsville after he left?—A. I only paid him a visit, and went right home.

By Mr. MAISH :

Q. Under whose authority was Colonel Ford acting when he was trying to raise these troops?—A. As I understood, under the authority of Governor Hubbard.

Q. That was generally accepted as the fact?—A. Yes, sir.

Q. Was it so stated on the handbills?—A. I do not recollect. I think that those handbills of Ford's came out some six weeks later than the time of Hall's threats in Camargo which I have spoken of.

By Mr. BRAGG :

Q. At the meeting at which Colonel Ford made his speech, did he represent that he had authority to raise a regiment and had the power to designate the officers?—A. I have stated that he received no encouragement, and that, as far as I learned, only three men enlisted, but I understood that several officers were appointed by him who were farther out in the State—captains.

Adjourned.

#### TESTIMONY OF JOHN L. HAYNES.

WASHINGTON, D. C., *February 19, 1878.*

Examination of JOHN L. HAYNES.

By Mr. BRAGG :

Question. State your residence.—Answer. I reside at Brownsville, Tex..

Q. How long have you resided there?—A. Five years.

Q. Where did you reside before you went to Brownsville?—A. In Austin, Tex.

Q. How long have you resided in Texas?—A. About thirty years. Previous to 1858 I resided along the Rio Grande, and from 1858 to 1872 I lived in Austin.

Q. What have you been engaged in since you have been there?—A. I was a merchant first on the Rio Grande, and since then I have been a land-agent. Latterly, I have been collector of customs at Brownsville.

Q. How long have you been collector of customs?—A. Five years.

Q. What counties compose your district?—A. The district is composed of the counties of Cameron, Hidalgo, and Starr—the three lower counties on the Rio Grande.

Q. How many employés have you under you?—A. About thirty.

Q. What are their duties?—A. I have five deputies; one in the office, one at Point Isabel, one at Edinburg, one at Roma, and one at Rio Grande City.

Q. Do they report to you?—A. Yes, sir.

Q. Did you seize some rugs belonging to General Doubleday?—A. No, sir. General Doubleday came to me and asked permission to bring some rugs across the river. He brought them over under permission; I simply told him to bring them in and he supposed that they would be free of duty, but when I sent him word that they were dutiable, he came up and paid the duty as a matter of course.

Q. Are you familiar with the people and business of those several counties with in your district?—A. I am.

Q. Have you examined or made a compilation of statistics as to the increase or decrease of population, and as to the increase or decrease of cattle-property in those counties?—A. I have examined the reports of the census as to the population, and also the reports of the comptroller of Texas as to the increase of property.

Q. What do you find?—A. The census reports show that there has been a very large increase of population since the Mexican war, and the comptroller's report shows that there has been a very large increase of property.

Q. Look at this table (handing a paper to witness) and say what it is.—A. It is a table which I drew up and gave to Mr. Wilson. It is taken from the census returns and from the reports of the comptroller of Texas.

Q. It is correct, is it?—A. I take it to be correct.  
The paper was put in evidence, and is as follows:

## CENSUS TABLES.

*State census for 1858, in round numbers.*

Counties.	Population.
Cameron .....	5,000
Hidalgo .....	2,500
Nueces .....	1,900
Starr .....	2,700
Webb .....	2,000
Total .....	14,100

[NOTE.—Zapata and Duval Counties taken from Nueces and Webb.]

Census of Texas.—Tables I-VIII of statistics of census of 1870.

Counties.	1870.	1860.	1850.	Remarks.
Cameron .....	10,999	6,028	8,541	Hidalgo taken from Cameron in 1854-'55.
Duval .....	1,083			Taken from Nueces County in 1860-'61.
Hidalgo .....	2,387	1,192		Taken from Cameron in 1854-'55.
Nueces .....	3,975	2,906	698	
Starr .....	4,150	2,406		Not organized in 1850.
Webb .....	2,615	1,397		Do.
Zapata .....	1,488	1,248		Taken from Webb and Starr in 1858.
<b>Total .....</b>	<b>26,657</b>	<b>15,177</b>	<b>9,139</b>	
El Paso .....	3,671	4,051		} Not organized in 1850; or no census returns, or returns included in Bexar County or some other.
Ensinal .....	427	43		
Frio .....	309	42		
Kinney .....	1,204	61		
Maverick .....	1,951	726		
McMullen .....	230			
Presidio .....	1,636	580		
Bexar district .....	1,077			
<b>Total .....</b>	<b>10,505</b>	<b>5,503</b>		

These tables show steady increase of population between the Nueces and the Rio Grande, being nearly double in 1870 over 1860, and 1860 nearly double that of 1850. In 1850, the population west of the Nueces was confined to the counties of Nueces, Webb, Cameron, and El Paso.

Tables from the reports of the comptroller of the State of Texas, from report of 1850-'51.

Counties.	Acres of land.	Horses.	Cattle.	Sheep.
1851.				
1 Cameron .....	\$1,293,888	212	*1,316	
2 Nueces .....	615,101	449	16,669	
3 Starr, not yet organized .....				
4 Webb, no returns .....			(?)	
5 El Paso, no returns, and same as to other western counties .....				
<b>Total returned for assessment .....</b>	<b>1,908,989</b>	<b>661</b>	<b>7,985</b>	
1867.				
1 Cameron .....	1,741,589	6,253	27,179	6,033
2 Hidalgo .....	878,020	5,384	16,916	29,462
3 Nueces and Duval .....	603,295	15,568	138,568	149,637
4 Starr .....	1,061,246	7,503	20,354	109,881
5 Webb .....	298,958	1,013	7,491	41,420
6 Zapata .....	569,508	3,557	10,490	58,200
<b>Total .....</b>				
1868.				
1 Cameron .....	1,682,429	7,938	32,709	6,616
2 Hidalgo, no returns .....				
3 Nueces .....	785,306	19,176	158,208	161,187
4 Starr .....	1,137,784	10,839	23,135	105,182
5 Webb .....	279,313	1,386	11,904	66,672
6 Zapata .....	538,158	4,279	11,267	63,000
<b>Total .....</b>				
1870.				
1 Cameron .....	1,649,996	8,983	38,038	8,814
2 Hidalgo .....	337,127	5,422	14,351	11,676
3 Nueces .....	870,309	26,137	183,068	191,524
4 Starr .....	1,176,090	25,600	38,811	108,328
5 Webb .....	278,362	2,380	20,343	124,130
6 Zapata .....	660,463	5,071	11,087	57,100
<b>Total .....</b>				

NOTE.—Only counties of Lower Rio Grande presented.

\* Including Hidalgo County.

† Including Duval County.

‡ Including Zapata County.

These tables show that in 1851 there was but a small population, and but few horses and cattle, while in 1870 the population had increased 300 per cent., and the cattle and horses into herds of thousands.

By Mr. MARSH :

Q. From what book did you get the comptroller's report?—A. From the Texas almanac, which republishes tables from the comptroller's reports.

By Mr. BRAGG :

Q. Do you know about the rise and progress of cattle-stealing and cattle-raids in Texas and in the adjoining parts of Mexico?—A. I went to Austin in 1858 or 1859 with my family, and was there until 1872. When I got to the Lower Rio Grande there were great complaints of cattle-stealing, and I believe it is alleged that the cattle-stealing began about the time of the Cortina raid, which was in 1859.

Q. Do you know either personally or by reputation Leon and José Estapa?—A. I know them by reputation.

Q. Who were they?—A. Citizens of Hidalgo County.

Q. What official positions did they hold?—A. One of the Estapas was sheriff of Hidalgo County for a time.

Q. What was the other?—A. I do not know that the other held any official position.

Q. Was he not collector?—A. I do not know.

Q. Do you know as a matter of history of the border that the Estapas had a band of cattle-thieves in their employ?—A. No, sir; I do not know it.

Q. I have here a volume entitled "Reports of Mexican Border Commission," with maps. I find on page 43 of this report that there were exported of horned cattle to Galveston and Indianola during the period—

From September 1, 1871, to September 1, 1872.....	53, 078
From Saluria during the same period.....	24, 461
From Corpus Christi.....	3, 180
And that there were transported to Kansas from Caldwell from May 1 to November 11, 1872.....	349, 275
Making a total of.....	434, 994

Do you know anything about the accuracy of that table?—A. I cannot tell; but I suppose that the facts can be ascertained by referring to the reports from those districts, which are to be found in the Treasury Department. I take it for granted that those figures were obtained from official sources. I know that a great many cattle were shipped from those points, but I could not give an idea of the figures without reference to the returns.

Q. There is also a statement on the same page which I will read—

The statistics show for the same period, *i. e.*, from September 1, 1871, to August 31, 1872, the commerce in raw hides to be as follows :

Exported from Galveston.....	407, 931
Exported from Corpus Christi.....	85, 297
Exported from Rockport.....	10, 240
Exported from Aranzas.....	31, 720
Exported from Saluria.....	330, 875
Total.....	866, 063

What do you know about that?—A. I answer in the same way, that I have not examined the returns from those districts, but that the exact figures can be obtained from the Treasury Department.



Q. I find also on page 44 of the same report a statement taken from the Texas almanac of 1873, page 39, giving the relative shipment of hides from the port of Galveston from 1867 to 1872, as follows:

Hides exported from September 1, 1867, to August 31, 1868, 205,000; from 1868 to 1869, 294,892; from 1869 to 1870, 332,769; from 1870 to 1871, 371,925; from 1871 to 1872, 407,931. What do you know about the correctness of those figures?—A. I suppose that those figures are correct, as they are found in the Texas almanac. The compilers of that almanac generally get their figures from the custom-house.

Q. These figures show a gradual increase of business in the exportation of hides from 1867 to 1872?—A. Yes; there has been a great increase of stock in Western Texas from the years 1852-'53, when they began to restock that country with gentle cattle. Previous to that time it was full of wild cattle, wild horses, and game, and there were no ranches in the country, but since that time the country has been settled up and is considered to be a very fine stock-country. The increase of stock there has been gradual every year, and of course the exports would increase as production increases.

Q. Then that country has not been made a desert by reason of the raids made into it?—A. The raiders have driven off, no doubt, a great quantity of stock, but the country is not made a desert.

Q. Notwithstanding the stock that has been taken off, the quantity of stock is on the increase?—A. So the statistics show.

Q. Did you ever know a man by the name of Beecher at San Antonio?—A. No, sir.

Q. Did you ever hear of him by reputation?—A. I think I never heard of him. The report that you are quoting from, while it is true in many respects, is false in a great many respects also.

Q. I see a mark of yours to a paragraph in this book in reference to the altering of marks or brands of cattle; what do you know on that subject?—A. As to the altering of marks or brands, I suppose that that is sometimes done. I have seen the brands of animals altered, but to what extent it is done I cannot say.

Q. Do you know anything about a statement made in this report in the seventh subdivision or chapter, commencing at page 65, and giving the rise and progress of cattle-stealing in Texas? Do you know whether it is correct or not?—A. There is some of it true and some of it false.

Q. Tell us what is true. State it in your own language.—A. They say here that the practice of cattle-stealing dates as far back as 1848, from Mexico by residents of Texas, under the protection and connivance of citizens of the United States. I do not know of any cattle-stealing from Mexico at that date.

Q. Give us your view as to the time the cattle-stealing commenced from both sides, both by Texans from Mexico and by Mexicans from Texas.—A. There has been a good deal of stealing in both ways, I suppose, although but very few cattle can have been stolen from Mexico, for the reason that the Mexicans have a very superior police system—rural police. They have ranches all along the Rio Grande, thickly settled, from Matamoros up the river, and at every ranch there is some person appointed who is called the encargado—the man in charge of the ranch. It is his duty to report all offenses to the alcaldes of the nearest municipality and to make arrests, and I think it would be almost impossible to steal and drive off cattle from Mexico and bring them to this side of the river. The ranches are so thick along the river on the other side that the Mexicans would be almost certain to detect and prevent any such thing. Horses might be brought across, because a man can get

upon a horse and ride him across the river at any place. A good deal of horse-stock is stolen, no doubt, in Mexico, and brought to this side of the river, but it is almost universally done by Mexicans, because, if an American went into Mexico for that purpose, he would be sure to be noticed and watched.

Q. I find on page 101 of this report the following paragraph :

“The inspection went into effect on the 12th of August, 1871. The results from said month up to January 31, 1873, are as follows: Out of (39,450) thirty-nine thousand four hundred and fifty hides inspected by Charles Murphy, (38,790) thirty-eight thousand seven hundred and ninety bore Mexican brands, (660) six hundred and sixty had American brands, and out of these (32) were claimed as having been stolen. The report states also that, besides these (7,000), seven thousand hides were imported from Matamoros which were not inspected.”

This is followed by a table giving a *résumé* of the hides exported from Brownsville, as follows:

Hides exported from Brownsville and submitted to inspection, total number.	110, 441
Imported from Camargo .....	800
<hr/>	
Hides with Mexican brands, including four hundred, half of the amount imported from Camargo .....	102, 351
Hides of American brands unclaimed, including one hundred and ninety-eight, as per last item .....	1, 436
Hides of American cattle claimed as having been stolen, including two hundred and two imported from Camargo .....	454
Hides not inspected .....	7, 000
<hr/>	
	111, 241

Do you know anything about that?—A. I suppose that these tables are correct. They are taken from the inspectors of hides and cattle, who are State officers in Texas. These cattle and hide inspectors have no connection, however, with the custom-house. I refuse to issue permission for the exportation of hides until the inspector's certificate is presented. That is required by act of Congress, and I judge from that that these figures are correct, because inspection-permits are of daily occurrence.

Q. What proportion of the proprietors of ranches in the neighborhood of the Rio Grande in Texas are of Mexican blood or lineage?—A. Between the Nueces and the Rio Grande we have a population of between forty and fifty thousand. Out of that number I do not suppose that there are more than three or four thousand of Americans. The rest are people of Mexican origin. The ranches are about in proportion to the population.

Q. Then these robberies, if there are robberies perpetrated, affect people of Mexican race proportionately as much as they affect people of other blood?—A. Yes, sir; but these Mexicans are American citizens.

Q. Are there not persons residing in Mexico who also own ranches on this side of the river and keep cattle there?—A. Yes, sir; a good many.

Q. Do you know about how many?—A. I cannot tell; but a good many.

Q. Did you know Martinez and Flores?—A. I knew Martinez very well; I only knew Flores from reputation.

Q. Who were they?—A. Martinez was at one time a captain in the United States volunteers. He was discharged, and afterward took to cattle-stealing, and became noted for it.

Q. Where did he live?—A. In Cameron County.

Q. When was that?—A. He was in service in 1863, or probably in 1864. I think he was discharged in June, 1864.

Q. How long did he follow the business of cattle stealing?—A. Until he was killed.

Q. When was that?—A. That was some time in 1869 or 1870.

Q. Did he have an organized band in Cameron County?—A. It was so said.

Q. The report gives an account of his death, which, I suppose, is correct, and it intimates that his pursuit and death were accomplished by the authorities of both sides. Is that so?—A. Probably it was the combined action of the authorities of both sides.

Q. When was the first volunteer police force organized in a military organization in the State of Texas to operate on the border?—A. The first police-law in the State of Texas was passed during the administration of Governor Davis, in 1870, I think. After Governor Davis came into power there was organized what is, in effect, a police force. I do not know what it is called, but it is, in effect, a State police force.

Q. What is the character of the men composing it as to being peaceful and quiet?—A. I know very few of them, but they have been about Brownsville, and have been very quiet and orderly.

Q. In what counties are the complaints of losses from raids the greatest?—A. In Cameron, Nueces, and Hidalgo.

Q. Look at this table on page 167, giving the statistics of cattle in those counties, and say whether you can vouch for it?—A. (After examining it) I presume it is correct.

The table is as follows:

No. 1.

	1867.		1869.		1870.	
	Number.	Value.	Number.	Value.	Number.	Value.
CAMERON.						
Horses.....	6,253	\$66,055	7,938	\$76,749	8,983	\$97,718
Cattle.....	27,179	142,218	32,709	149,867	58,038	167,133
NUECES.						
Horses.....	15,568	243,525	19,176	203,584	26,137	304,177
Cattle.....	138,688	677,177	158,208	567,249	183,068	594,994

Q. On page 168 is a statement of claims for cattle losses by robbery. Do you know whether it is correct?—A. I suppose that that table is correct, because when gentlemen sit down to make a table, it is to be supposed they make it correctly; but I do not know.

The table is as follows:

	Number of claimants.	Number alleged to have been stolen.	Value.	Natural increase.	Value of increase.
CAMERON.					
Cattle.....	20	143,776	\$1,437,766	82,742	\$824,720
Horses.....	11	5,712	179,640	1,425	45,750
NUECES.					
Cattle.....	33	328,643	3,286,430	6-0,397	6,803,970
Horses.....	18	7,008	348,605	10,108	484,540

Q. Do you know Mr. Ford?—A. I know Colonel Ford very well.

Q. I find his name occurring here on page 189. How long have you known him?—A. I have known him about 25 years.

Q. What is his business?—A. He is a doctor—a physician—but I do not think he practices.

Q. What business does he follow for a living?—A. He is a newspaper correspondent and writer and politician.

Q. With what papers does he correspond?—A. I only know from hearsay.

Q. What is he reputed to be engaged in?—A. He is State senator in the legislature from our district. He is a very intelligent gentleman.

Q. What is his character as to being a filibuster?—A. Colonel Ford's character is very fair on the Rio Grande.

Q. I do not mean his personal character for integrity, but I mean his character as to being a man who is always preaching and advocating an advance on Mexico.—A. Colonel Ford some time ago was commissioned by the governor of Texas to raise a regiment in anticipation of trouble with Mexico, and that shows that his character is good.

Q. I do not mean to reflect upon his personal character, but I want to know his characteristics in connection with a disposition which it is alleged prevails among certain people in Texas to capture Mexico by conquest.

The WITNESS. May I be permitted to ask why you wish to examine one citizen of the frontier as to the character of another?

Mr. BRAGG. I repeat that I am not asking as to his personal character, or as to anything relating to him in his private life.

The WITNESS. Colonel Ford is a senator in the State legislature. He was a colonel in the Confederate army as I was a colonel in the Federal service. We have been opposed in politics all our lives, and I feel some delicacy in giving testimony as to a neighbor and friend, or criticising him.

Mr. BRAGG. I am not asking you to criticise him.

The WITNESS. Among you gentlemen of the North, filibustering is probably considered in a different light from what it is in our section of the country.

Mr. BRAGG. Can you not state Colonel Ford's public reputation without so much reluctance?—A. I think I have stated it. It is well known that Colonel Ford believes that the only security for the Texas frontier is to move the line west of the Rio Grande.

Q. How far west?—A. I believe the Sierra Madre is always the line which we want to reach when we cross the Rio Grande.

Q. When did Colonel Ford begin to give expression to his belief in that kind of an advance and progress?—A. That I cannot answer.

Q. Long before Texas was attached to the United States?—A. It could not have been before that. I did not know him at that time. I have known him since 1852.

Q. Ever since you have known him has that been his general idea?—A. That was his general view, that the line was defective, and that it ought to be at the mountain instead of the river.

Q. What measures has he taken to carry out that idea?—A. I know of no measures that he has taken except that in the year 1850 or 1851 he commanded some Americans who crossed the river and joined in a Mexican revolution.

Q. Has he not always been an aider and abettor of revolutions in Mexico?—A. I cannot answer that question because I have not been familiar with all the revolutions in Mexico.

Q. Since you have known him has he not been in such revolutions as you have known of?—A. I have only known him in two—the Carvajal revolution of 1852, and the Diaz revolution last year.

Q. What had he to do with the Diaz revolution?—A. I think he sympathized with the Diaz party.

Q. Nothing more?—A. I do not know of anything farther than his talking and expressing sympathies with the revolution. I do not know of his having given it any material support. I know that he has been about Brownsville all the time, and that he took no active part in the revolution.

Q. You have stated that he was authorized by the government of Texas to raise some troops?—A. That was my understanding.

Q. When?—A. Sometime in July or August last. It was published in the newspapers that Colonel Ford had been authorized by Governor Hubbard to raise a regiment of troops in anticipation of trouble with Mexico. Colonel Ford went up the country and made some speeches. He is now in this city, and will answer these questions himself promptly and truthfully.

Q. Do you know what measures he took toward the raising of troops?—A. Nothing further than what I saw in the newspapers—that he was making speeches and proposing to raise a regiment.

Q. What was the condition of the sentiment of the people of the border then; was it in an inflamed condition on either side?—A. There was a good deal of excitement.

Q. What tendency did this declaration of troops being raised in Texas have on public sentiment?—A. I do not think that it inflamed it any more than it would have been otherwise. I do not think that it had any great effect in fanning the flame.

Q. Did it produce any effect on the sentiment of the Mexican people on the other side of the river?—A. I cannot tell, because latterly I have had very little communication with the Mexican side of the river. I rather favored the Lerdo government, and when the Diaz people came into power, that fact of course prevented me from ascertaining as well as I might otherwise have done their sentiments about anything. They did not talk to me confidentially, of course.

Q. When did you reach this city?—A. I got here on Friday evening.

Q. Were you interviewed shortly after your arrival here by any person to know for what reason you had been called here and on what subject you were to be investigated?—A. If there was any such interview I did not know it.

Q. Where do you stop?—A. At a private boarding-house.

Q. What are the habits of the people on the Texas side of the Rio Grande as to their being peaceable, quiet, law-abiding citizens?—A. I have stated that we have a population there of thirty-five to forty thousand of Mexican origin. They are Mexicans in feeling, thought, language, religion, and everything, and whenever a disturbance occurs on that frontier they sympathize, of course, with their friends on the other side of the river. That necessitates a military force there to protect us, because we have that turbulent element in our own midst, and we have the turbulent Mexican element on the other side of the river, and then we have Americans who have visions looking to the Sierra Madre, and it is necessary to care for these three elements. For that reason a military force on that frontier is an absolute necessity.

Q. Are the laws executed in the counties bordering on the Rio Grande?—A. The civil laws are not so well executed there as they are in more civilized communities, of course.



Q. That is a very indefinite answer. I wish to know whether there is an element of population there that is idle, quarrelsome, and troublesome, and, if so, what proportion it bears to the entire population?—A. There is a very large proportion of the population there composed of idle people who are turbulent and are ready to engage in any movement on either side of the river. That was proved in 1858, when General Twiggs withdrew the troops from the frontier, when three months afterwards Cortina, at the head of 300 or 400 men, took possession of the frontier and held it for some time until the troops drove them out. It was also proved the other day in El Paso County, where there were 300 or 400 men under arms who took out three or four men and shot them to death.

Q. Is the civil process obeyed generally in those counties?—A. Yes; generally.

Q. Then the civil law can be executed there?—A. It can be executed by civil officers, but they hardly ever leave the towns. They do not go out into the country much to execute processes.

Q. What reasons are there why the civil process cannot be executed by the civil arm?—A. The class of people whom it is desired to reach makes it sometimes dangerous for civil officers to go out to execute a civil process. In my own department we have a lot of inspectors, and we always send two inspectors together, because it is considered dangerous for one man to travel alone through the country.

Q. Do you mean on the Texas side?—A. On the Texas side.

Q. Are there sheriffs and constables there?—A. Yes; and justices of the peace, and all that.

Q. Do I understand you to say that they are afraid to go outside of the towns to serve processes?—A. The fact is, that we rarely hear of what is going on in the country. The Mexicans have their own disputes, and they settle them frequently without our hearing of them.

Q. That is to say, that they kill one another?—A. Yes; they kill one another.

Q. You mean Mexicans who are Texans?—A. Yes; American citizens.

Q. And life is not prized very highly there?—A. Not as highly as it ought to be.

Q. Do the people all go armed?—A. When a man travels there, he generally buckles on his six-shooter, and probably takes something else along. I always travel myself with arms. That is the general custom of the people.

Q. In how much of the border is that necessary?—A. Anywhere in that strip of country that I am speaking of, between the Nueces and the Rio Grande.

Q. Do you say that it is regarded as unsafe to go out there unarmed?—A. Yes; for a single person.

Q. Then let me ask you whether quite a respectable proportion of the number of your population is not composed of persons whom it would be safe to call outlaws, murderers, and thieves?—A. The outlaws and murderers are generally composed of deserters from the Mexican army, and are people from the other side of the river who have come to this side because they cannot stay on the other side, and of this class there is a large number who may be so denominated; but the resident population there—the people who own property and ranches, and who have stock—are as peaceable and quiet people as you will find anywhere.

Q. Are there not also refugees there from the States?—A. Yes; no doubt of it.

Q. And outlaws from the United States at large are scattered through that section of country?—A. I have no doubt of it whatever.

Q. Are those murders which take place there confined to murders in the night-time, or are they committed in daylight?—A. I cannot say when murders are committed. I never saw a man killed there, though I have known a good many to be killed and have seen them after being killed.

Q. What attention is paid to such things there?—A. Grand juries sometimes indict them when the matter is brought to their attention.

Q. But how often, relatively to the cases that occur, are indictments found?—A. I think that the grand juries generally do their duty very well in that respect.

Q. What follows indictment there?—A. Sometimes, if an arrest is made, there is a trial. It depends a good deal whether any arrest is made.

Q. What proportion of men who are indicted there are arrested?—A. A great many disappear in that country who are strung up or killed, and nobody knows who did it. The grand juries investigate the matter and they cannot find any person who knows anything about it, and therefore nothing is ever done. That frequently occurs.

Q. And men are shot down in daylight in the towns, are they not?—A. Not often; that sometimes occurs. The town of Brownsville, where I live, is as quiet and peaceful as any place I know of. We have good police, and such a thing as that would not occur there.

Q. Do the police of Brownsville feel safe in going outside to make arrests?—A. They have no business to go outside.

Q. Have the officers of the shrievalty any hesitation in going outside?—A. I do not know whether they would have any hesitation about it. I am satisfied that they would not go alone without a posse.

Q. What sort of posses are there outside of the United States military forces?—A. There are plenty of good men in the country to form posses, but it would be more convenient, and in other respects better, if the military can be obtained.

Q. Have you a sufficient population of respectable, law-abiding citizens to form the requisite number of posses to make arrests where crime is committed?—A. I cannot say. It depends upon what sort of an arrest is to be made, what number of people would be required.

Q. That would be so anywhere, would it not?—A. I should judge so. If you want to arrest a single person, I should think that a posse can be obtained to execute the ordinary process of the court.

Q. But you say that it is more convenient to use the military?—A. Much more so, and especially so when armed bodies are in the country for the purpose of robbery and cattle stealing. People do not like to risk their lives with that sort of people.

Q. Did you ever know a man to be arrested in Texas by the military while stealing cattle there?—A. No; I never saw a man arrested there.

Q. Did you ever hear of a man being arrested in Texas by the military for cattle-stealing?—A. I know that some seven dead bodies were brought into Brownsville one day and were laid out in the market square; men who were killed by McNally's company. The cattle were brought in also.

Q. Have you ever seen or heard of any party of robbers or cattle-raider's being arrested by United States troops?—A. I do not know that I have. The fact is that United States troops have no authority to arrest anybody unless they are accompanied by a civil officer.

Q. What do you use the troops for?—A. If the United States troops

were taken away from that frontier, you would have war with Mexico in less than three months.

Q. Of what use are they in pursuing cattle-thieves?—A. To make arrests, I suppose.

Q. You said just now that they had no authority to make arrests?—A. No; but they take civil officers with them.

Q. Did you ever know of a military party going out from Fort Clark in charge of a civil officer?—A. I do not know anything about Fort Clark. I know that at Brownsville the troops have a guide, and under my advice they had that guide appointed a deputy sheriff, so that if they came across cattle-thieves they would have a civil officer to make the arrests.

Q. Then it was you who advised that course?—A. Yes, sir.

Q. The military did not require it?—A. I do not know whether they did or not. I advised it for their protection, to prevent them from being prosecuted should they make any mistakes in arresting the wrong man.

Q. How came you to be giving that advice?—A. Because they were gentlemen with whom I had daily association, and gentlemen whom I liked.

Q. You did not know that they were going out on these expeditions?—A. I knew that they had been in the habit of going out. I gave the advice to an officer, and told him that he had better always take a civil officer with him.

Q. But, until that time, the military had been in the habit of acting as constables themselves?—A. I do not know whether they had been or not. I gave this advice to Captain Claus, but previous to that time I do not know whether they had civil officers along.

Q. Have you not stated that the reason why you gave the advice was that they had been in the habit of going out without a civil officer?—A. I knew they had been.

Q. Was not this advice quite voluntary on your part?—A. It was voluntary advice, and good advice.

Q. Did you not know at that time that they had not taken civil officers with them?—A. I suspected that they had not, but I cannot say that I knew it.

Q. What made you suspect so?—A. I do not know why, but that was my impression.

Q. What made you have such an impression?—A. I cannot tell you why, unless, probably, that I had seen parties going out without a civil officer along with them.

Q. How many times do you know of their going out without a civil officer?—A. I do not know whether they had a civil officer with them or not. I knew of several parties going out of the barracks at Fort Brown previously to that time.

Q. What did the captain say to you when you told him that he had better take a civil officer along?—A. He thanked me.

Q. Why?—A. Because I had given him good advice.

Q. What did he say about his not having done it before?—A. I do not think we had any conversation on that point. I simply gave him this advice, and he probably communicated it afterwards to other officers, and so did I.

Q. Was this guide appointed as deputy sheriff after that?—A. It is my impression that he was sworn in as deputy sheriff. He is in the city now.

Q. Was it the same guide who had been going out with them before?—A. I am not certain about that, because there was a change of guides

about that time. The old guide was named Thomas, but I do not know whether he was sworn in or not. He died, and the present guide, Mr. Rock, was appointed in his place.

Q. How long had he been serving as guide before he was sworn as deputy sheriff?—A. I do not know, but it was only a short time.

Q. How does the condition of the feeling among the people as to safety and the preservation of peace on the border compare now, under the administration of General Ord, with what it was under former administrations?—A. I cannot say. We have had General Augur for a short time as commander. General Ord has been in command there almost ever since I have been on the frontier. He went there in 1873 or 1874, and I went there in 1872.

Q. How is it with the troops at other points—do they go out with a constable?—A. I do not know.

Q. You have not answered my question as to the feeling of security under the present administration of General Ord as compared with former administrations.—A. I think that the feeling of security depends more upon revolutions and tumults on the other side of the river than it does upon any commander on this side. Whenever there is a Mexican revolution, we have turmoil and trouble on the river. It makes no difference who is commander on this side when there is a Mexican revolution.

Q. Do you not think that it makes any difference whether our officers are men of a conservative disposition?—A. I would prefer myself a man of a peaceful and conservative disposition to one who is different.

Q. How have the troops on that frontier been under General Ord's administration. Have they been in charge of officers who were quiet, conservative men, or of officers who were swaggerers, braggarts, whisky-drinkers, spending their time on the other side of the river glorifying the power of the American government and telling what great things could be done in case of war?—A. I do not think that I know of any such officers being in command there.

Q. Did you know Colonel Devin?—A. Yes; I knew him very well.

Q. How long was he there?—A. A little over a year.

Q. At what time?—A. He was there in 1875 and 1876, I think.

Q. What was his character as commanding officer of a post?—A. I liked Colonel Devin very well myself as commander.

Q. How was he regarded by the people at large, and by the people of Mexico?—A. I do not know how he was regarded by the people in Mexico.

By Mr. MARSH:

Q. You say that you have been on that frontier five years?—A. Yes, sir.

Q. And you are pretty well acquainted with the people on the Texas side of the river?—A. Yes, sir.

Q. State what in your opinion was the effect of the order of the Secretary of War, issued last summer, authorizing our troops to follow Mexican raiders on a fresh trail across the Rio Grande.—A. The effect of the order was to create some excitement in anticipation of a war with Mexico.

Q. Did that order have the effect of spurring up the Mexican Government to a more rigid enforcement of the law on that border?—A. I think it probably did.

Q. In your opinion did it have the effect to induce the Mexican Government to send regular troops to that border from the interior?

(Objected to by Mr. Bragg, and objection overruled.)

A. I know that regular troops were sent to the border after the issuance of the order.

Q. Did those regular troops displace the irregular volunteer troops on that border in part or in whole?—A. The troops were sent up to Matamoros and could not land, and they were taken back to Tampico, and from there I think they were sent up to Monterey.

Q. State whether there has been a better condition of things on the Mexican border since the issuing of that order.—A. For the last 12- or 18 months we have had a very quiet border. There have been no raids or complaints since that time that I have heard of, except the attack upon the jail at Rio Grande City.

Q. Since the issuing of that order.—A. Since the issuing of that order, for the last eighteen months we have had peace there with one exception, the attack on the Rio Grande City jail. That occurred in July last, according to my recollection. With that exception we have had a very quiet frontier for the last 18 months, but since the issuing of the order of the President I think the Mexicans have been very particular in preventing any cause of complaint.

By the CHAIRMAN :

Q. Have there been no raids from Mexico since the issuance of that order?—A. I have heard of none.

Q. Have there not been what were known as the Salt Pond disturbances?—A. That locality is not in my district. That was in El Paso County, which is 1,000 miles from where we are. We are farther from El Paso than we are from Washington in the way of quick communication.

Q. At the time of the issuing of that order, was there not quiet and good order prevailing on the Lower Rio Grande?—A. Yes, sir.

Q. And had been for some time previously?—A. Yes.

Witness subsequently supplied the following memorandum :

I find, upon examination of my memorandums and papers, that the assault upon the Rio Grande City jail occurred on the 11th of August instead of the month of July, which was after the issuance of the order from the War Department authorizing the troops to follow fresh trails of raiding parties from Mexico, but this is the only instance that has come to my knowledge of anything like a raid from Mexico since the order was issued.

Adjourned.

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TESTIMONY OF EDWARD P. TURNER.

WASHINGTON, D. C., *March 2, 1878.*

EDWARD P. TURNER sworn and examined.

By the CHAIRMAN :

Question. What is your rank in the Army, and where are you stationed?—Answer. I am second lieutenant in Company D, Tenth United States Cavalry. I am stationed at Fort Clark, Texas.

Q. How long have you been stationed at Fort Clark?—A. Off and on for two years.

Q. What have been the duties of your company since you have been there?—A. To garrison the post of Fort Clark, and to pursue raiders.

Q. Who is in command of your company?—A. Captain Keyes.

Q. Are the other company officers with it?—A. Yes, sir.



Q. Since you have been on that frontier, how many raids have you known of Mexicans into the United States?—A. I have heard of a great many.

Q. How many Indian raids from Mexico into the United States have you known of?—A. Personally, I know of several.

Q. What, if any, raiding parties of any kind or nature whatever have you known of?—A. Three that I know of, by Indians; many others I have heard of being made by Mexicans.

Q. What was it?—A. A small party of Indians, consisting of one male Indian and several women from the Staked Plains, who were on their way to the Rio Grande in 1875, but were captured just before they crossed the river into Mexico; also two others—one last spring, and another in the fall of 1876, when one Indian was captured.

Q. Were they the Indians who lived in the United States?—A. I think not; in fact I am quite certain that they were not. They lived a short distance from Saragossa, in Mexico.

Q. For what reason were they captured?—A. To prevent them from raiding and giving trouble on this side of the river.

Q. Were they leaving the country at the time they were captured?—A. The first party were; the other two parties were not captured, but I know belonged in Mexico.

Q. Were they taking any stolen property with them?—A. That I cannot say; I was not there at the time, but I believe that they were.

Q. Who captured them?—A. Lieutenant Geddes, of the Twenty-fifth Infantry, captured the first party.

Q. What was done with the Indians that were captured?—A. The buck was killed and the women taken prisoners pertaining to the first party.

Q. Was he killed in the capture?—A. He was.

Q. How many men had Lieutenant Geddes with him when he captured these Indians?—A. I do not know.

Q. Did this party of one Indian man and the Indian women fight against their capture?—A. The women did not, I believe; the man did and was killed. This affair occurred before I went to Fort Clark.

Q. Then since you have been at Fort Clark, on that frontier, you have no knowledge of any raiding parties from Mexico into the United States to steal cattle, or for any other unlawful purpose whatever?—A. Personally, I know of several, but I believe that there have been quite a number of them; in fact I know that one Indian was captured when raiding into the United States—a boy, and I heard his testimony given, to the effect that he had been with Indians from Mexico. But I have not seen any Indians myself, and have not been on a trail after them. I believe, however, that there have been a great many raids within the last two years.

Q. Who composed these raiding parties, Indians or white people?—A. Indians and Mexicans.

Q. Have you had any opportunity of conferring with Mexican authorities or officers in regard to raiding?—A. I have not. I have spoken to a Mexican officer in reference to the murder of an Indian in the streets of Saragossa, a few weeks ago. That was the only conference I had with any of these Mexicans.

Q. Who murdered an Indian in the streets of Saragossa a few weeks ago?—A. A Mexican guide, employed by Colonel Shafter, by the name of Julien.

Q. Did the murder occur in a personal encounter between the Indian

and the guide?—A. No. sir; it was a deliberate murder without any justification at all.

Q. What was it done for?—A. To get \$50.

Q. The man who killed the Indian was a Mexican?—A. He was a Mexican in the employ of Colonel Shafter, as United States guide, and he was borne on the Army rolls as a mule packer.

Q. What do you mean by saying that the murder was done to get \$50?—A. Not long before this, Colonel Shafter offered this guide \$50 if he would bring in a dead Indian or his scalp, or any other part of his body; and this guide went over into Mexico, and in the streets of Saragossa saw four drunken Indians about twelve o'clock at night, walking in the suburbs of the town, and threw his lariat over one of them by the name of Jesus Martinez, a Mescalero Indian. This guide had another guide with him, who undertook to throw his lariat in the same way over another of these Indians. One of them escaped by cutting the lariat with his knife; the other one, Jesus Martinez, was dragged by the lariat—the guide running his horse—outside of the town, until he was insensible. He was then taken up, bound on one of the horses, and carried to Rio Grande, and across the river into the United States, where they got about nine o'clock the next morning, traveling day and night. The Indian died about nine o'clock, after having crossed the river. He had been alive on the horse until that time. Then he was taken from there to the post adjutant's office, at Fort Clark, the guides inquiring for Colonel Shafter, and for the \$50 reward.

Q. Did they get the reward?—A. I do not know. Colonel Shafter was not present; he was here in Washington at the time.

Q. Were you at Fort Clark at the time?—A. Yes, sir.

Q. Did you see the guide?—A. Yes, sir; I got that testimony from him.

Q. Did he give any other reason for having killed the Indian?—A. None other; he did not know the Indian, and was not acquainted with him. These Indians live a short distance from Saragossa in Mexico, and come into Saragossa to trade.

Q. How did the Mexican officer, with whom you talked, express himself about that matter?—A. He was very much incensed about it; he had just heard it.

Q. How are the Mexican army officers and the Mexican people, so far as your observation goes, disposed toward the American authorities?—A. I have not had a good opportunity to judge of that. I never knew of the Mexican soldiery going after raiders who had been over to the United States, and had returned into Mexico. I never knew them to co-operate with our people.

Q. Have you ever known them to encourage raiders to go over?—A. No, sir.

Q. Do they interfere with our people when they follow them over?—A. I only know of one instance where they met our soldiers who had gone over there, and I cannot exactly state that there was then an interference. They drove us out of the country, in one way; that is, they followed us for ten miles, and our officer in command seemed to be very much frightened about it, and left the country immediately in front of these Mexicans.

Q. Who was the officer in command?—A. Colonel Shafter, with 391 men. There were from about 50 to 80 Mexicans that followed him. His command was very much fatigued and exhausted at the time, but "boot and saddle" was at once sounded, and we all mounted and flew

out of the country. Instead of going by the short and direct road to Fort Clark (the way in which we came in), we doubled our distance and went way up the Rio Grande to avoid some other Mexicans who were supposed to be coming up the river in another direction, the dust having been descried on the river toward Eagle Pass.

Q. What were you doing over there?—A. We had gone over there to support Lieutenant Bullis, who had himself crossed a few days before, in order to take an Indian camp some few miles from Saragossa, in case Lieutenant Bullis got into trouble with the Mexican authorities. These 300 men, under Colonel Shafter, were to be some 50 miles from Lieutenant Bullis, so as to make the attack; and Lieutenant Bullis was to retreat in that direction, and to be supported by Colonel Shafter and his 300 men. He did so, followed by this number of Mexicans. We were waiting for him, and then we all left the country. In going in, we were 22 hours in the saddle without getting out of it.

Q. Did Bullis take the Indian camp?—A. Yes, sir. He struck the Indian camp on the morning of the 29th of September, 1877, and that evening he struck the head of the San Diego River—some 40 miles' marching—where he was met by Colonel Shafter, on September 30. On the 30th, Colonel Shafter marched 45 miles north to the Rio Grande, crossing at the Lasora crossing. The Mexicans followed us for ten miles, but disappeared.

Q. How many Mexicans were there?—A. From 50 to 80. They were too far off to be counted accurately.

Q. Did you have any parley or talk with them?—A. None at all.

Q. Was there any firing either way?—A. None.

Q. Did they manifest any disposition or intention to attack you?—A. No, sir. Our men were irritated at retreating so quickly before that small number of men, as they knew that afterward the Mexicans would make a boast of it in their papers, and that it would encourage them, the next time a small command of ours went over, to attack it. Besides, our command was very much fatigued. We had marched from the afternoon of September 28th, all that evening and night, and all the next morning, until twelve o'clock at noon, without resting or getting out of the saddle, except for short halts for the column to close up.

Q. Did the Mexicans boast, in their papers, that they had run you out of the country?—A. I think they did. I saw accounts in our papers of where the Mexicans had boasted in their papers of having done so.

Q. And it looked that way to you?—A. Very much that way, and not only to myself, but to a great many others. Even the second in command, Major McLaughlin, who commanded our battalion, expressed himself in the presence of a number of officers to the effect that he would not have been afraid to have left the country by the same way that we came in, instead of marching a tired and fatigued command all over the country to escape a handful of Mexicans.

Q. Were there any Mexicans waiting on the route by which you had come in, to intercept you?—A. That was the supposition, but I think there were none. A dust was descried in the distance, at the ford where they had crossed coming in, and Colonel Shafter was very much excited at the time. "Boot and saddle" was sounded. Colonel Shafter said, in the presence of two of his officers, that there was a dust in that direction, and that that ford might be guarded by Mexicans coming up the river from below, and that he did not want to bring on a fight with them.

Q. For what purpose did you go over on that occasion?—A. To support Lieutenant Bullis in his attack on the Indian camp.

Q. Did you follow over on a fresh trail?—A. On no trail at all. There was no sign of a trail.

Q. Did Bullis go over on a trail?—A. No, sir; I had that from three of the officers, the only officers who were with him.

Q. In his attack upon the Indian camp, did he capture and bring away any Indians?—A. He got no Indian man at all; he got a few women. He shot one of the children, and got five—three women and two children; he did not get the herd of horses. The herd of horses was driven away, but he got a few outside horses that were scattered around. The main herd was driven away in front of him.

Q. Was that a herd of horses that had been captured in Texas and taken over by the Indians?—A. I do not know, but I think so.

By Mr. MARSH:

Q. You say that the herd of horses was driven away in front of him, and then you say that you do not know whether that herd of horses was captured horses or not; how do you know that the herd of horses was driven away in front of him?—A. I know it by the reports of those three officers who were with him.

Q. From the reports of these three officers who were with him, did you not also know that that herd of horses was stolen in Texas?—A. No; that I do not; they did not say.

By the CHAIRMAN:

Q. When Lieutenant Bullis went over, did he go to recapture a herd of horses that had been stolen from the American side?—A. I do not know. About two months before this affair had been talked of, I mean the affair of going over and attacking the Indians in camp in Mexico, two guides had been sent over there, some two months before, who were to come back and let Lieutenant Bullis and Colonel Shafter know where the Indian camp was.

Q. Were the Indians whom Lieutenant Bullis attacked, Indians that had been raiding into the United States?—A. They were of that tribe; but whether they were these very same Indians I do not know.

Q. What is the name of the tribes?—A. The Lipans and the Mascadero Apaches.

Q. Did the Mexican troops follow you up the river?—A. No; they did not go near the river; they only followed us ten miles.

Q. Have you ever known any Mexican troops or Mexicans to follow raiding parties from the United States into Mexico back into the United States?—A. I have not.

Q. Have you ever known any raiding parties, either Americans or American Mexicans, raiding over into Mexico?—A. No. With that one exception where the party of Indians was on the way to cross the river in 1875, and they belonged in Mexico.

Q. Have you been over into Mexico with your command at any other time than the one you mentioned?—A. Not with any command; I have been over there by myself.

Q. Merely visiting?—A. Visiting.

Q. Have you known of our troops being over at other times than the one you have mentioned?—A. I have, two or three times; but I cannot say when, nor at what places; but it was in the State of Coahuila.

Q. What is the character of the population along that frontier, on our side of the river; is it quite peaceable and well disposed?—A. Very. Those who own property are.

Q. Do the American Indians commit any depredations on the settlers?—A. I know that they have done so; I know of a great many.

Q. Are there many American outlaws in that country who rob and steal?—A. Yes, sir; there are a few, but they are not original Texans; they are escaped renegades—men from other parts of the country; from Missouri, Arkansas, and Kansas.

Q. You have had considerable experience on that frontier. In your opinion are there troops enough there, if properly disposed, to keep the peace—I mean the peace so far as relates to preventing raids of Indians and Mexicans?—A. I have not had an opportunity of judging about that, only having been on one part of the Rio Grande.

Q. Are there troops enough for that purpose in the vicinity of where you have been?—A. If they were properly handled and stationed, I think that there are enough troops there now. Those troops have been, within the last two years, kept around Fort Clark, and sent out in small detachments from there along the river.

Q. I understand you to say that the raiding parties are confined to the Lipans and Mescalero Apache Indians of Mexico?—A. I think entirely so about Fort Clark; but the numerous cattle raids between Fort Duncan and Fort Brown are made by Mexicans.

Q. About how many of those Indians are there?—A. I should say about forty to sixty.

Q. Of both tribes?—A. They are affiliated.

Q. You mean forty to sixty bucks?—A. Yes, sir; those who can do mischief; perhaps there are not so many. I do not think that anybody knows their exact number.

Q. If it were not for those Indians, you think there would be peace and quiet there?—A. I think that a great deal of the trouble would be stopped.

Q. Who is in command of the troops there?—A. General Mackenzie.

Q. Who is in command of the post where you are stationed?—A. General McKenzie.

Q. Since when?—A. Since about a month ago.

Q. Did he relieve Colonel Shafter?—A. Yes, sir.

Q. Where is Colonel Shafter now?—A. He is on the river, at Fort Duncan, right opposite to the Mexican town of Piedras Negras.

Q. Is he the colonel of your regiment there?—A. No, sir.

Q. Who is the colonel of your regiment?—A. Colonel Grierson.

Q. Where is he?—A. At Fort Concho.

Q. Are there any other matters in relation to the matters on that frontier, and to the military management there, about which you can give us any information?—A. Unless you put the question specifically, I cannot say.

By Mr. MARSH:

Q. You spoke of the murder of an Indian at Saragossa, by one of the guides, and you said it was a cold-blooded murder; do you know any of the facts yourself of your own knowledge?—A. No, sir; not a word.

Q. All you know about it is what you have been told?—A. I saw the dead Indian.

Q. You do not know whether he was carried strapped on the back of a horse or not?—A. No; I do not even know that he was taken in Mexico, except by the statement of the guard.

Q. When Lieutenant Bullis went over into Mexico to attack that In-



dian camp, you do not know whether he followed a fresh trail or not?—  
A. Not of my own knowledge—not being there.

Q. Lieutenant Bullis would know more of that than you, would he not?—A. Of course he would.

Q. You were with Colonel Shafter when the Mexicans followed our troops?—A. Yes, sir.

Q. How far did the Mexicans keep in the rear of Colonel Shafter when they were following him?—A. About a quarter of a mile.

Q. Within gunshot?—A. Yes, sir; within gunshot.

Q. No shot was fired by either party?—A. None.

Q. And no disposition was exhibited on the part of either party to fire?—A. None.

Q. Were the Mexicans, in following, making any hostile demonstrations?—A. None.

Q. They were not yelling and hooting?—A. No, sir; they were too far from us to judge of that.

Q. During the ten miles that they followed you, were they in sight of you all the time?—A. Yes, sir.

Q. Both commands were on the walk?—A. On a quick walk; there were a good many horses trotting. Some horses would walk faster than others, and the others would have to trot.

Adjourned.

#### TESTIMONY OF J. L. HAYNES.

WASHINGTON, D. C., *March 4, 1878.*

J. L. HAYNES recalled and examination resumed.

By Mr. BRAGG:

Question. You stated on your last examination, at its close, that the difficulty at Rio Grande City took place prior to the issuing of the order from the War Department?—Answer. Yes, sir; but I was mistaken. The occurrence took place (I find by reference) on the 11th of August last. That was after the issuance of the order.

Q. Now will you be kind enough to tell us, if you are able to do so, about what proportion of the people own ranches and cattle in the counties of Starr, Cameron, and Hidalgo; whether they are Mexicans living on the Mexican side or Mexican Texans connected with the people on the other side?—A. A great majority of them are of that class. There are very few American stock-raisers and ranchmen in these three counties.

Q. Then the robberies which would be perpetrated in these three counties would be largely of men connected with the Mexican people?—A. O, yes; they lose a great deal of cattle.

Q. In these three counties, outside of the towns, have they any organized police or constabulary force?—A. No, sir; none, except occasionally there is a detachment of State police.

Q. I mean a local police?—A. No, sir; no local police.

Q. Has it not been frequently the case, and has it not become an historical fact, that but little attention is paid whether Mexicans or others are found hanged by the roadside?—A. There is very little attention paid to that, for the reason that little information is obtained on the subject.

Q. Are those cases of frequent occurrence?—A. No, sir; not frequent.

Q. About how long prior to the summer of 1877 were there any such thing as raids to any extent on the Lower Rio Grande?—A. I think the raiding ceased to a great degree some time in 1875; in that year the Lerdo authorities arrested Cortina and took him to the city of Mexico. He afterward escaped, and returned and entered into the revolution to sustain Diaz. After the success of Diaz, he was again arrested and taken to Mexico. He was considered as the head of that class of people—the robber chief. Since his arrest in 1875, there was very little raiding.

Q. I am confining myself to cattle-stealing. What do you mean by the Lower Rio Grande?—A. I mean from Laredo, or the military post of McIntosh, to the mouth of the river, as the district of the Lower Rio Grande, and I refer especially to three counties composing my district. I am more familiar with them than the others.

Q. How are the border-settlers divided? Are they not these Mexican rancheros, or people desirous of cultivating the ranches for stock-raising, and the Americans, restless spirits, who look upon the Sierra Madre as their boundary?—A. They are divided into several classes, outside of the towns. The industrial classes are confined to stock-raising. The population in the towns is generally composed of merchants, traders, and a few men of no particular employment.

Q. Has not that place, and Western Texas generally, been a place in which men fleeing from the States for crime have taken refuge?—A. Yes, sir; frequently such men go there, owing to the facility of passage from one to the other side of the Rio Grande.

Q. Between the American citizens proper and the Texas Mexicans is there not a species of feeling of "irrepressible conflict" of races and religion?—A. Where I live the preponderance of Mexicans is so great that it does not exist; but where this is not the case, as in Nueces County, there is a very ugly feeling between the American stock-raisers and their Mexican neighbors.

Q. In the execution of the laws by Texan officials are they executed impartially, so as to afford equal protection to the Mexican and American stock-raisers?—A. On the frontier I think there are no cases of complaint of that nature, where the majority are Mexicans.

Q. How is it elsewhere, say in Nueces County?—A. I cannot say, as I never lived up there. I will state that I saw a charge of the judge of the district court at Corpus Christi, in which Judge Russell called the attention of the grand jury to such complaints; but I have not got the judge's charge with me.

Q. Was it not quite common, for a number of years, to hear of persons of Mexican descent being killed or found hanged on trees?—A. It was not common, but I have heard of one or two cases of that kind.

Q. Have you not heard of some instances of that kind in the immediate neighborhood of Brownsville?—A. Yes, sir.

Q. State when, and the particulars of each case.—A. I heard that a lot of men were found in the old bed of the river, or Resaca, on this side of Brownsville.

Q. How many men were there?—A. I heard that four or five men were found in that vicinity.

Q. All at the same time?—A. Yes, sir; that was the rumor; but it was supposed that they were cattle-thieves, who were caught in the act and were executed.

Q. Was there any investigation to ascertain who they were—judicial, I mean?—A. I have been informed that the grand jury inquired into the matter, but without any result.

Q. Do you know of any instance where the perpetrators were brought to punishment by the Texas officials?—A. I know several parties have been tried down there for acts of that kind.

Q. Have they ever been punished?—A. No, sir; because there was a failure of the proof to convict. I think in this pamphlet which I gave you (the report of the permanent committee of citizens of Brownsville) there is mention of some.

Q. Do you know of any persons, or have you heard of any, who were not of Mexican descent, who were killed or robbed?—A. Yes, sir.

Q. In the cases where they were not of Mexican descent, have they not always attracted the attention of the authorities?—A. Yes, sir; when Americans were killed we noticed that, of course.

Q. But when a Mexican was killed it was not of so much consequence?—A. It was always very hard to find out anything in regard to the Mexicans when they were killed.

Q. Why do you make that significant remark, "where Americans were killed"?—A. Because they are of our blood and lineage. Out of a population of forty thousand between the Nueces and the Rio Grande there are not more than three thousand Americans, and the death of one of these would necessarily attract attention.

Q. There was a good deal of cattle-stealing outside of the raids?—A. Yes, sir.

Q. By what class of persons?—A. Generally by a loose class of Mexicans. They kill the cattle and take the hides off and sell them on the other side, near the markets.

Q. Was that confined to the loose class of Mexicans—were they not cow-boys?—A. I never heard of cow-boys being guilty of such acts.

Q. When this kind of stealing was going on, and the victim happened to be of white blood, there were a good many efforts made to punish the offender?—A. In regard to stealing?

Q. Yes.—A. It is almost impossible, on account of the natural features of the country, to catch these stealers.

Q. Whenever the victim of this kind of robbery is a white American, is there not always some effort made to discover the perpetrator?—A. They endeavor to recover their property, of course.

Q. Is there not prompt attention paid in such cases to find him out?—A. I think equally prompt attention would be paid to any complaint, whether it came from people of Mexican or American origin.

Q. Can you state any instance where the military of the United States was turned out to protect persons who had killed or robbed Mexicans, the same as for other citizens?—A. I could not answer that. I think the military turned out at any time whenever a complaint was made, whether by Mexican or American citizens.

Q. That depends on who makes the complaint?—A. No; I think not.

Q. The military at Fort Brown does not turn out on the complaint of stragglers?—A. The land in that country was granted in large tracts, and the ranchmen are very well known, and the owners of stock are very well known; and whether it was Mexicans or Americans it would not make any difference, but would be attended to all the same.

Q. Have you ever known of a call on the United States troops where it was alleged that Mexicans were killed or murdered?—A. I have heard of such a case, but I cannot state positively as to the time. About a year and a half ago, I think, a military party was sent up towards Nueces County for the purpose of pursuing a party, who were alleged to be Americans, who had committed depredations on citizens of Mexican origin.

Q. In your judgment, has the State of Texas exhausted all the means in its power, all organized means, to repress disorders and protect the inhabitants of the Texas side of the Rio Grande?—A. I think all the organization exists that the State could organize. The counties on that frontier are very large, and the persons who could execute the duties of the various county officers are necessarily very small, because the American element, speaking the English language, is small. If that portion of the State were to be divided into smaller counties we could not have any county officers at all, and no court authorities, in many such counties, on account of the fact that the citizens of Mexican origin do not speak English.

Q. So the local civil authorities on the Rio Grande are weak and inefficient?—A. From the circumstances I have already mentioned they have not the power that they properly ought to have, on account of the sparseness of the population, the great extent of our counties, and the nature of the country.

Q. Is not that weakness and inefficiency in a measure growing out of the fact of the protection given them by the Federal troops?—A. No, sir; I think it arises more from the condition of our population than from any reliance on our troops. I think they would prefer not to rely upon the troops. The people down there are no great favorers of the United States troops.

Q. But they are favorites of the profits to be derived from their being stationed among them?—A. I did not mean that.

Q. Would it not be a source of profit to the stock-raisers, graziers, and persons who make contracts, to have the government establish a large number of posts and have them well supplied with troops and cavalry, to eat and buy the products of their country in grain and beef?—A. Undoubtedly it would be profitable to the contractors.

Q. And furnish a market to the stock-raisers and graziers?—A. That market is a very small one. It would furnish a very poor one.

Q. About how much of a market would a regiment of one thousand furnish at a post?—A. That would be a thousand pounds of beef a day, if a beef ration only were issued.

Q. There are some horses to be fed too?—A. They do not eat beef.

Q. No; but they eat corn?—A. They do not raise corn there. We raise grass and hay; and the horses would give a market to the people who had hay to sell.

Q. The expenditure of the pay of one thousand troops there—would it not have a tendency to build up a town?—A. Yes, sir; it would be of benefit to the place. That is true of all frontiers. It advances them. In the State of Texas the frontier has been advanced by the establishment of these posts.

Q. I do not care to go into the whole history of that.—A. It tends to build up the frontiers.

Q. Does not the burden of the protection of the Texas citizens on the Texas side of the Rio Grande depend largely upon the United States troops, rather than on their own local force?—A. I think not; but the international protection of the Army is the only protection they have.

Q. I understand you to say that when a civil process is to be executed the officers do not like to go out of the towns without a posse?—A. Yes, sir; they prefer to have a military posse with them as being more convenient.

Q. Then is it not true that you rely upon some force?—A. I think the military are very seldom used, unless upon parties who are known to be

engaged in actual stealing. Then I think the military is very generally called upon ; because those parties are always armed.

Q. You say that they are always armed. Did you ever see a man traveling there who was not armed ?—A. There are few traveling there without arms.

Q. That is an armed community, is it not ?—A. They nearly all have arms.

Q. Then there is nothing in the idea that you call upon the military for arms ?—A. There are but few of the American portion of the people who are mounted. Very few have horses.

Q. All you get out of the military you get out of " Uncle Sam " ?—A. Yes, sir.

Q. And the expense, instead of coming out of the people to be protected, comes out of the general government ?—A. That would be so whenever the military was used or not. The expense would come out of the general government because—

Q. I did not ask the reason—A. Because all the frontier States have been repaid by the national government for expenditures to protect their frontiers, and Texas now has such a claim before Congress.

Q. Is that the theory upon which the organization of Texas troops is based ?—A. The organization is to protect the frontiers—

Q. I did not ask anything about that, but about the theory ?—A. I have not examined the claim, and therefore cannot say upon what theory it is based.

Q. I did not ask you about the claim, I asked about the theory ?—A. I think that is the theory of all frontier claims, that it is the duty of the government to protect the frontiers.

Q. Now go across the river ; which is the stronger, the central or federal government, or the local government ?—A. That is a very difficult conundrum. I don't think I could say which is the stronger. Mexico is a country of continual revolutions.

Q. If the civil authorities in Texas were strengthened and the courts and sheriffs' posses were increased, and, in fact, discharged the functions of State authorities generally, could not the disorders be largely decreased ?—A. I think so.

Q. And have they not within the last year or two been largely decreased ?—A. Yes, sir ; they have.

Q. Is it not a fact that owing to the vigorous efforts made by General or Governor Hubbard and the mounted police that a great many have been arrested ?—A. I think that is true of the State at large.

Q. Then there is a better spirit prevailing toward the execution of the civil authorities than formerly ?—A. Yes, sir.

Q. There is a growing disposition to exert the civil arm more than formerly ?—A. I think so.

Q. And the good effect of that is visible all over the State ?—A. To a certain extent ; but the disorders have not been entirely suppressed.

Q. Have you ever known of any trouble between the people on the Mexican side of the Rio Grande and the United States officers ?—A. There was none in my section, except some occurrence that took place up the river.

Q. Where was that ?—A. That was in 1875, I think, when Captain McNally, commander of the State forces, crossed into Mexico.

Q. I am speaking of what took place on the Texas side.—A. Between the Mexican officers and our officers ?

Q. No ; between the Texan people and our officers.—A. No, sir ; I don't recollect of any.



Q. Have any of our officers been sued?—A. General Hatch was indicted in Starr County; also, a lieutenant and two soldiers. That was some time in January, 1875.

Q. What for?—A. General Hatch was indicted under two charges; one was for false imprisonment and the other for burglary.

Q. What act had he committed which led to the charge of false imprisonment?—A. He had arrested a party of men at the ranch of El Grullo, in Starr County.

Q. For what?—A. On account of two soldiers of his regiment who had been killed the previous evening near that ranch.

Q. Of what nationality were the men arrested?—A. They were American citizens, of Mexican origin.

Q. What was the act which led to the indictment for burglary?—A. Some soldiers entered a house and something was missing. I don't suppose, however, that General Hatch took anything any more than I did.

Q. Who was the judge?—A. I think Judge Dougherty was the judge. But a *nolle prosequi* was afterward entered in the cases against General Hatch.

Q. Now, if it be true that the people want the United States troops to execute their laws, it is a little strange, is it not, that the very people who asked their assistance should indict them for what they wanted them to do?—A. Yes, sir; it would be perfectly strange. I think that these indictments were an outrage.

Q. Have you named the only cases you know of?—A. The indictment of the lieutenant and two soldiers was another case.

Q. Does that comprise all that you know of?—A. That is all I recollect at this moment.

Q. Was not judgment recovered against General McCook?—A. I don't know anything about that case?

Q. Have you not heard of it?—A. General McCook left Brownsville shortly after I went there.

Q. Was he not sued for false arrest and six thousand dollars recovered against him?—A. I have heard that he had been sued and some judgment obtained against him, but do not recollect the amount.

Q. Was the judgment for six thousand dollars?—A. I cannot say.

Q. Was there any officer by the name of Anderson sued?—A. He was sued in Zapata County.

Q. What for?—A. For killing a jackass that disturbed his camp. The owner sued Major Anderson for damages. Anderson was encamped on his land and had killed his ass.

Q. Suppose there was a conflict between the State and the United States authorities, on which side would the sympathies of the people tend?—A. The State, most decidedly. They are all for State rights and home rule out there.

Q. Whenever they can, however, they make a little money out of the Federal authorities?—A. Yes, sir; they don't object.

Q. They are opposed to local interference in their affairs by the Federal troops?—A. Yes, sir.

Q. Would the United States military authorities be safe in using their discretion in arresting cattle thieves?—A. I think not.

Q. In case they did arrest thieves and murderers, they would be prosecuted?—A. If they made a mistake, they would be certain to be prosecuted.

Q. It follows, as a sequence, that the United States military have no power to suppress disorders unless they act in concert with the State

authorities?—A. All their guides are sworn civil officers, and the troops simply act as a posse.

Q. Now, why could not the citizens of Texas act as a sheriff's posse as well as the troops?—A. They could act just as well, but it would be very dangerous to have an organized force of Texans on that frontier. They might cross the river and bring on trouble, and I think they would.

Q. Would the mere crossing bring on trouble?—A. No; but the acts that the crossing might lead to.

Q. Suppose the United States troops held their posts on the river, with a force sufficient to patrol the river and to maintain the laws international between us and the Mexicans and limit themselves to that, have not the Texan authorities sufficient power then to regulate and control their internal affairs without calling on the assistance of the Federal troops?—A. Under that state of things, the State would. Give us the protection we are entitled to, and there would be no trouble about civil officers performing their duties.

Q. Have the United States troops, as a posse, sufficient power there to protect Texan Mexicans against the action of American white people?—A. O, yes; the power of the United States has become more respectable than it formerly was.

Q. Do I understand you to say that if the officers in charge of the United States troops when they are making these arrests should act in opposition to the local section or not in conformity with their views in making the arrests, that they would be liable to prosecution?—A. They would be liable to get into trouble.

Q. How does the force of the Mexican Government, which is kept on the Mexican side of the Rio Grande, compare with the force on the American side?—A. I cannot say. I think that at Matamoros they have about one thousand men, half of whom are regular troops; the others are State guards. That is my impression.

Q. Is it not true that the bulk of the American—the Federal—troops on our side are not stationed on the borders of the Rio Grande where the Mexican population live?—A. Our troops are stationed at Brownsville, and at—

Q. I am not asking you about the stations.—A. I think the largest portion of the troops are stationed at Fort Clarke.

Q. I ask you as to the fact.—A. I think that the larger portion are stationed above Laredo.

Q. Does not the settlement on the Rio Grande on the Mexican side commence from Laredo and run down to the mouth of the river?—A. Yes, sir.

Q. And is not the larger portion of our troops intended to protect the Rio Grande above Laredo and opposite the territory called "the unknown land," which is scarcely inhabited at all?—A. That is my understanding. You can, however, get exact statements at the War Department, and the figures there will show.

Q. The leading depot for troops and the proper one at Texas is Fort Clarke, which is forty-five miles in the interior from the Rio Grande and at a point about opposite San Felipe is it not?—A. No, sir; it cannot be more than thirty miles from San Felipe.

Q. Is there any population on the Texas side about Fort Clarke?—A. The population is increasing up there, but I don't know to what extent. I have not been in that country for several years, since 1854. That was the last time I was there.

Q. Ever since the border settlement which established the Rio Grande as the common boundary, has there been any considerable

element in Texas which has developed itself or is cropping out on the frontier desirous of extending our border beyond the line of the Rio Grande so that we may get a slice of the Mexican territory on the other side—any believers in what is called manifest destiny—and does not this class exaggerate your border troubles?—A. Yes, sir; that class of people never fail to exaggerate anything that may be done which will have a tendency to bring about a state of affairs that will lead to a realization of their dreams. They have fervid imaginations.

Q. They supply a large amount of the correspondence that appears in the New York Herald and other papers?—A. I suppose that some of them are newspaper correspondents.

Q. And whenever anything happens that has a tendency to favor their views they state in glowing terms?—A. Yes, sir.

Q. Is not that the capital stock of a good deal of the border difficulties?—A. No, sir.

Q. It has a good deal to do with it?—A. There are a thousand things that go to make up these difficulties. It is a large current consisting of many little streams.

Q. We have heard here considerable of an old man named Cordova being hung up by the neck; what do you know of that?—A. I know nothing about it except what I have heard.

Q. We are not limited to inquire about what each person saw. Who was Cordova?—A. My understanding was that he was a member of the legislature of the State of Tamaulipas.

Q. Do you understand that he was hung?—A. I have heard so.

Q. By whom was he hung?—A. That was all I heard.

Q. On which side of the river?—A. On the American side.

Q. You never heard by whom?—A. I have heard that there was a lot of troops there, or near there.

Q. And what did you hear about the troops?—A. I heard that there was a party of troops there, and that the party was under the command of General Potter, and that this man was caught stealing a cow, and was hung.

Q. Done by the troops?—A. It was said to have been done by the troops, or by parties in company with the troops.

Q. Either by some federal troops or by somebody with the federal troops?—A. There was a gentleman there, whose name I will give you, who will give you all the facts, Mr. Rock, who was the guide of the troops, and who is now in this city, and you can get the exact facts from him.

Q. Who was this General Potter you have just been speaking of?—A. He is an officer of the United States Army, and is now an officer at the Soldiers' Home. He can give you the facts.

Q. Did Diaz commence his movements to make himself president from Brownsville?—A. Yes, sir.

Q. How long was he in Brownsville?—A. He came there in January, 1876, or December, 1875, I am not certain which, and he was there about three months. He attacked Matamoros, which place he took on the 2d of April.

Q. Was General Potter in command at Fort Brown then?—A. Yes, sir.

Q. Were they on good terms?—A. Yes, sir.

Q. And he acted under the eyes of the commanding officer?—A. The organization was not at Fort Brown. There were three of the revolutionists, General Diaz, General Gonzales, and another, and they organ-

ized at the ranches above, about twenty miles above Brownsville, at a place called Cabazos ranch.

Q. But his presence in Brownsville, and the purposes in which he was engaged, could not but be known to the commanding officer?—A. I knew it, and it was generally known.

Q. And he was permitted to do it under the eyes of the commanding officer?—A. He was not interfered with by any one.

Q. Was there any effort made at that time by the military authorities to maintain the neutrality of the United States?—A. I left Brownsville about the 20th of February, and was in Washington here as a witness before one of the committees up to some time in April. I don't know what was done during my absence. When I left, Diaz was in Brownsville, and when I returned, he was in Matamoros.

Q. While you were there and while he was there, was it not understood that he and the United States officers were on good terms?—A. Yes, sir; General Diaz was an elegant gentleman, and was treated with great courtesy by every one there.

Q. When was it that McNally organized his raid to Las Cuevas?—A. I do not recollect the date of that.

Q. The rangers crossed into Mexico with McNally?—A. Yes, sir.

Q. Were there any United States troops crossed with them to support their attack?—A. There was a force on this side of the river; but no troops went over.

Q. Was it generally understood there, or known, that Potter was in sympathy with that movement of McNally?—A. I think he was disposed to sustain Captain McNally.

Q. Was it not understood and talked about for some time?—A. Not that I know of. People didn't talk much to me about that sort of thing.

Q. Was it not generally understood that General Ord and General Potter favored the attack?—A. I never heard of such a thing. I would probably be the last person to hear of such a thing.

Q. Now, I desire to ask the question as to your judgment and the result of your observation, from the common report there, whether or not the general commanding the department and Potter were both in favor of an aggressive military policy towards Mexico?—A. General Ord has given his testimony, in which he says that he advised giving the order to cross into Mexico on fresh trails.

Q. I understand that that is the result of your own observation?—A. It is known that General Ord desired to pursue raiding parties into Mexico, and he has so testified.

Q. Was General Ord and his subordinates in favor of an aggressive military policy towards Mexico?—A. The word "aggressive" might have different meanings.

Q. I don't ask you that.—A. It is generally notorious that General Ord was in favor of pursuing raiding parties into Mexico and probably some of his officers were in favor of it; but a great many were opposed to that course.

Q. Who had command of the gunboat?—A. At the time of this McNally raid?

Q. Yes.—A. I think it was then under command of Commander Reamy or Johnson; Commander Kells had been first in command of the Rio Bravo.

Q. Did you ever give Reamy a certificate?—A. I gave him no certificate. I gave him a statement.

Q. In writing?—A. Yes, sir.

Q. What was it?—A. It was in regard to certain propositions made by Captain Kells to me.

Q. That don't state anything—state what that proposition was.—A. I can furnish you with a copy of it.

Q. Have you got it?—A. I will furnish the paper.

Q. Who was Captain Kells?—A. He was lieutenant-commander of the Rio Bravo.

Q. That was a United States boat there for the purpose of preserving the neutrality laws?—A. He was sent down there to assist in preventing cattle-stealing, as I understood.

Q. And to preserve the neutrality laws?—A. Yes, sir; I suppose so.

Q. And it was tied up in front of Matamoros?—A. In front of Brownsville.

Q. In what year?—A. In 1875.

Q. Have you a statement in writing of the conference which took place between you and Captain Kells, relative to some acts of violence being brought about to be perpetrated upon his boat in order that certain measures might be taken against Mexico?—A. Yes, sir.

Q. Will you present it?—A. Yes, sir.

The following is the statement referred to by witness :

BROWNSVILLE, TEX., *November 16, 1875.*

A few days after the arrival of the gunboat Bravo at this port, I met Commander Kells near the corner of Manuel de Shano's store, where he stopped me and asked me if I could not help him carry out the object of his mission to this frontier. I replied that I would certainly give him all the aid in my power to prevent cattle-raiding, which I supposed was the object to be accomplished in sending him here. He then stated that the object of his mission was "to bring this thing to a head," and, upon my remarking that I did not probably understand him, he asked me plainly if I could not join with Judge Dougherty and other parties named by him, and arrange to have his gunboat fired upon from the Mexican side of the river. The proposition was an extraordinary one, and I replied rather coldly that such a thing was impossible of arrangement, in my opinion, by any American, and that I thought that the Mexicans, so far from firing upon him, would treat him with especial respect. The manner of my reply, I suppose, induced him to answer me that his purpose in the proposed arrangement was simply in pursuance of the policy in sending him to the Rio Grande, and he left upon my mind the impression that he had been sent here to precipitate a contest with Mexico, and as I was ignorant of the nature of his orders and purposes, I listened with more patience than would otherwise have been exhibited to other propositions made by him. He suggested that if the Mexicans could not be induced to fire upon him, we "might arrange with McNally's men to cross the river and fire upon him from the Mexican side." I explained to him that the thorough organization of the rural police in Mexico would insure the capture of any of McNally's men that might be induced to engage in such an enterprise, and the result would be an exposure that would damage, not only himself, but the government he represented. He then asked me if Mexicans resident on this side could not be hired to cross the river and carry out the project, when I told him that such an effort would insure an exposure more certainly than the employment of McNally's men. He then suggested that McNally's men might collect a drove of cattle and drive them over the river, at a place and time to be agreed upon, when he would be on hand with his gunboat and make an attack upon the nearest Mexican ranch, and he named the ranch of "Las Cuevas" as one that he would like to assault. He did not seem to realize that the proposed cattle-drive was a felony under the laws of Texas, and I treated this proposal with such impatience that our conversation came to a close, I stating to him that my official position and my character were such as to prevent me from taking any part in his schemes, and he requesting me not to repeat our conversation or to throw impediments in his way. I made no promise on this point, but I respected his request so far as not to speak of it publicly, but I related it to a few friends upon whose discretion I could rely, and I also took occasion to speak to one of his friends to warn Commander Kells not to give publicity to his designs, nor to talk so freely about them as I was informed he was in the habit of doing. I will do Commander Kells the justice to say that I am fully convinced that he thought he was carrying out the purposes for which he had been sent to the Rio Grande with his gunboat, and that his only fault was an entire want of discretion, and of any perception of the morality, or the right or wrong of the means to be used to accomplish his purposes, and that he seemed to be governed by the idea that the end justified the means. I have noted down only the substance of the various propositions of Commander Kells, without pretending to give the exact language, except when quotation marks are used.



The foregoing statement was reduced to writing and delivered to Commander Reamy at his request. He afterward showed me the orders of Commander Kells, and there was nothing in them whatever that would justify Kells's propositions, and this was further shown by the promptness with which he was relieved and a more prudent officer placed in command of the Bravo.

Q. Do you know the date of issuing the order to cross on the first trail?—A. No, sir.

Q. In June, 1877, was it not?—A. Yes, sir.

Q. You have stated already, as I understand you, that for a long time previous to the issuance of that order there had been an unusually good state of quiet on that border?—A. Yes; along the lower portion of the river it had been very quiet for the reasons that I have given, I think.

Q. Was there not a crossing near Brownsville when Devin was in command, and he captured several persons and carried them over into Mexico?—A. There was no person caught on the Texas side and carried over. The Rio Grande, as it was surveyed by the boundary commission under the treaty of Guadalupe Hidalgo, is the boundary line, but since that time there have been several cut-offs, consisting of one or two thousand acres of land, which left portions of the Mexican territory on this side of the present current of the river. Criminals and smugglers availed themselves of these cut-offs to evade punishment. I think some of them were in one of these bends, and some Mexicans came over and arrested these parties and took them across to Matamoros.

Q. And the people of Brownsville called a meeting and made a hallabalo about it?—A. Yes, sir.

Q. What were they indignant about?—A. About the invasion of our soil.

Q. But it turned out not to be our soil?—A. Yes, sir; it turned out so afterward. Some Mexican policemen crossed to this side, at Brownsville, went up the river, crossed the old bed back into Mexican territory in the cut-off, and carried their prisoners into Matamoros, without again coming to the Texas side of the river. These matters occurred some time ago, and my recollection may be indistinct; but I state them as I recollect them.

Q. When was General Devin in command there?—A. In 1876; pretty much during the whole of that year.

Q. Who was in command at Matamoros?—A. At that time General Revueltas.

Q. Is that the man that General Devin furnished the escort to?—A. Yes, sir.

Q. When was that?—A. It was some time in December, I think.

Q. From what point to what point?—A. My understanding is that it was from Fort Brown to Point Isabel.

Q. How long was that after making the forced loan in Matamoros on American merchants?—A. The forced loans were levied during the fall, previous to December.

Q. In making that loan was there any imprisonment of American citizens?—A. I don't know.

Q. Do you know whether there were any efforts made to protect citizens of the United States in Matamoros against General Revueltas?—A. There was no movement of any troops.

Q. Were Revueltas and Devin on friendly terms?—A. Yes, sir.

Q. Was any portion of the money, as far as you know, paid by Revueltas to Devin?—A. None that I know of, nor do I believe that any was so paid. Devin told me that he let Revueltas have a few kegs of powder, but the value of it was but a small affair.

Q. Do you know why the escort was furnished to him?—A. I do not, except from personal courtesy and friendship.

Q. Is there any particular point on which you wish to make any explanation?—A. When I get a copy of the testimony I will look over it to see; and if I think of anything additional, I shall request permission to explain it.

Q. Have you any reason to give for the issuing of that order?—A. I said that only certain portions of the river were very quiet, that portion below Laredo. I cannot state the condition of affairs on the Upper Rio Grande, above Laredo, that led to the issuance of that order. I will state also that it was the general impression that the power has existed on that frontier for years.

Q. In your testimony you speak of a majority of our troops being stationed opposite to the sparse settlements in Mexico; I want to ask whether those raids were frequent in the sparsely settled districts?—A. There are two classes of raids, the cattle raids on the Lower Rio Grande, and the Indian raids on the Upper Rio Grande. My testimony is confined pretty much to the lower portion of the Rio Grande.

Q. In your judgment the stationing of the troops was to prevent the Indian raids?—A. Yes, sir.

Adjourned.

WASHINGTON, March 9, 1878.

THOMAS F. WILSON sworn and examined.

By Mr. BRAGG:

Question. Do you hold any official position under the government; and, if so, what?—Answer. I have been United States consul at Matamoros, Mexico, for nearly eight years past.

Q. What is the character and disposition of the Mexican people; are they inflammable and easily excited, or not?—A. The Mexican people on the border of the Rio Grande are very easily excited.

Q. What effect does threatening, boisterous conduct on the part of the officers of the government on the Texas side have upon the people upon the Mexican side of the Rio Grande?—A. If such conduct were indulged in, it would have a very exciting influence on them. The Mexican people have been for some time apprehensive that we desired an extension of our frontier, and hence the feeling of apprehension always exists more or less.

Q. What has led them to think that there was such a desire on the part of our government?—A. So far as I understand, it seems that since the Mexican war the frontier people of Texas have thought that an extension of the boundary to the Sierra Madre would be advantageous, and they appear to desire it.

Q. Have any demonstrations been made indicating that such was the purpose?—A. There have been a good many Texans along the border, as I understand, from common report and from what they say themselves, who have at various times participated in revolutionary movements in Mexico, on the border, sometimes with the object of getting up what is spoken of as the Sierra Madre Republic, and sometimes for the mere purpose of aiding in a revolution on the border.

Q. From what point did the Diaz revolution originate?—A. General Diaz reached Brownsville, Tex., about the 1st of January, 1876, and it was understood when he came there that he had issued a proclamation

at Tuxtepec, in the State of Oajaca, which I think is his home, indicating a plan of overthrowing the Lerdo government and establishing "reforms" and "order," and so on, as he called it. That proclamation was regarded as the commencement of the last revolutionary movement; and it had been issued, I think, some months before he came to Brownsville. On his arrival there all the revolutionists appeared to think that he had come for the purpose of carrying out that plan. It was so stated and understood by everybody.

Q. How long did he remain there?—A. He was there from about the 1st of January, 1876, until about the 1st of April following, when he entered Matamoros at the head of his force, capturing the place from the Lerdo chiefs, who crossed to Brownsville.

Q. Was there any collection of the followers of Diaz upon the American side?—A. Yes, sir; more or less. It was generally understood that they were forming at the ranches at various points on the Texas side in parties of thirty, or forty, or fifty. It was understood during the time Diaz was in Brownsville that his partisans were constantly crossing into Mexico, and raiding around Matamoros, and capturing the mails. I know that, for two or three months, the garrison of Matamoros was constantly sending out expeditions to try to intercept these raiders in the rear of the city. On one occasion one of them, Colonel Paño, who had issued a proclamation in the interest of Diaz, was said to have captured one of the mail-coaches from the city of Mexico, and to have given the driver a receipt for several of the mail-bags which he carried off.

Q. This information came to you in your official position, I suppose?—A. It came to me officially, and otherwise, by common report.

Q. What were the relations existing between Diaz and the officers of the United States forces on the Texas side during the time that these schemes were being planned and executed?—A. I was not then in the habit of visiting Fort Brown, and cannot say, of my own knowledge, what those relations were.

Q. Then state from the information you received as an officer of the government.—A. I understand that they were on the most friendly terms, both the commanding officers and the subordinates.

Q. Was this gathering of the forces of Diaz so notorious as to be a matter of public knowledge?—A. Everybody appeared to know it and to talk about it, officials and private persons.

Q. Was there any effort on the part of the United States forces to suppress the gathering of revolutionists on the Texas side?—A. I understood that there were instructions from the government to prevent it.

Q. Were those instructions executed?—A. I am not aware of any practical effort having been made by those whose duty it was to enforce the neutrality laws in the case of Diaz.

Q. What is the general character of the population on the Texas side of the Rio Grande as to peacefulness and quietness?—A. The population between the Rio Grande and the Nueces is probably eighty per cent. of Mexican origin. They live in a sparsely settled country, and generally follow stock-raising; they are but little engaged in agriculture, and through that section of the country there are a good many lawless persons, both of Mexican and Anglo-Saxon origin, who depredate on stock ranches.

Q. How are the civil laws executed by the civil authorities upon the Texas side?—A. The city of Brownsville itself is a very orderly place and the laws are very well executed; but in the country I think the reverse is the case.

Q. Is there any distinction made by those Texas civil authorities between classes of persons whose rights are infringed?—A. I can only answer by saying that when an aggression is made upon a Mexican it is not much minded. For instance, when it is known that a Mexican has been hung or killed in the neighborhood of Brownsville, or along the frontier, there is seldom any fuss made about it; while, on the contrary, if a white man happens to be despoiled in any way, there is generally a great fuss made about it by those not of Mexican origin.

Q. Does that distinction in the manner of executing the laws produce any effect upon the people of Mexican descent upon our side?—A. It has always appeared to me that people of Mexican origin regarded themselves as not protected equally with those of Anglo-Saxon origin.

Q. Has there been any difference in the enforcement of the neutrality laws under the administrations of different officers in command of that department?—A. Well, I never knew before or since so open a violation of the neutrality laws as that in the case of the partisans of Diaz.

Q. What qualities should the officer in command of that frontier possess in order to secure the confidence of the people and the preservation of peace and quiet?—A. I think officers who are temperate, conservative, and quiet in their habits and mode of life and conversation have been the most successful administrators on the frontier.

Q. Is there any danger of bringing about an international difficulty with Mexico provided the neutrality laws are observed by conservative officers, who give strict attention to their duty and are not sensational in their character?—A. I should think that there was less reason to apprehend a difficulty with Mexico with such officers in command.

Q. What has been the character of the officers upon that frontier within the last few years—conservative or otherwise?—A. I think that generally we have had conservative officers there. However, there have been some exceptions.

Q. How does the administration under the present department commander compare with the administration under General Augur, so far as regards securing the confidence of the people?—A. My experience is that the apprehension of an international difficulty was less under General Augur's administration.

Q. Yet he had less troops than there are there under the present commander?—A. I believe he had less than there had been for the last two or three years.

Q. State what is the practice of our officers as to crossing over into Mexico and moving about in the Mexican towns, and as to their demeanor over there?—A. The officers stationed along the Rio Grande frontier appear to cross into Mexico whenever they feel like it. They go over there for their purchases, amusements, and recreations.

Q. What is their general bearing while there, offensive or peaceable?—A. I have known instances where their bearing was not in the interest of friendly relations between the Mexicans and ourselves.

Q. Do you know of any instances where exactions made by Mexican commanders upon American citizens living in Mexico have been supported by officers of our own troops?—A. In December, 1876, General Revueltas issued a proclamation levying an extraordinary contribution of 3 per cent. on capital for military purposes within the zona libra, and undertook to collect it of the citizens of Matamoros, as that was the only part of the zona libra that he had command of. Nearly all the American merchants in the city protested against this tax as illegal, because the treaty between the United States and Mexico provided that Americans residing in Mexico should not be subject to any more or

greater taxes or contributions than were paid by the citizens of the Mexican states in which they resided. They therefore understood the treaty to mean that the tax should be imposed on the inhabitants of the state at large, and not merely within the *zona libra*, or on one city in the state, and they regarded themselves as exempt from it. They referred the matter, through me, to the government, and while the question was pending, Colonel Deven, who was then in command of Fort Brown, Tex., and who was an intimate friend of General Revueltas, was represented as having asserted in Matamoros, in a barber's shop, and in a drinking-saloon, that Revueltas had a right to levy this extraordinary contribution and enforce its collection; that troops must be fed, and that if he were in Revueltas's place he would make it 10 per cent., and if foreigners didn't like it they could get out of Mexico.

Q. How did these things come to your knowledge?—A. They were represented to me by American merchants who felt aggrieved that an officer of their own country should sustain a foreign officer as against their interests where they believed they had been wronged. I addressed a note to Colonel Deven, informing him of what had been stated to me, and asking him not to prejudice the interests of American citizens in Matamoros in that way, and he made a reply in which he did not deny the truth of the representations, but rather sustained his conduct in the matter. There was a good deal of feeling on the subject on both sides of the river.

Q. Did he disavow the conversation?—A. No, sir; I offered to give him the names of the persons who had told me, and the places where it was alleged that he had made these remarks, but he did not ask for them or deny the alleged remarks.

By Mr. STRAIT:

Q. Is that correspondence on file here?—A. It is on file at the State Department.

By Mr. BRAGG:

Q. In 1876 there was some trouble about the extradition of certain marauders who had made a raid upon the jail at Rio Grande City, Tex., was there not?—A. I was absent from the frontier at the time that raid was made.

Q. Have any complaints been made to you officially as to the manner of making requests for extradition from Mexico, as to whether such requests have been made in a manner offensive to Mexican dignity?—A. Unofficially I have had such statements made to me.

Q. What were they?—A. It has been represented that when demands have been made for the extradition of raiders by the civil authorities of Texas, the demands were presented to the Mexican authorities by military instead of by civil officers.

Q. Was it in court?—A. I believe it was; I so understood it, and I was told that they regarded it rather as a menace that a military officer should be the medium of conveying the demand instead of a civil officer.

Q. I have heard something said about the goods of smugglers having been landed from a boat, and that, while the Mexican revenue authorities were attempting to apprehend the smugglers or retake the goods, the government officers upon our side gave them protection in reloading and carrying off the smuggled goods; do you know of any such occurrence?—A. I have here a couple of slips cut from a newspaper published on the frontier, I think the Brownsville Sentinel, which contain about the gist of the information I have on the subject.



Q. You know nothing of this officially?—A. All I know is what I have heard.

Q. Do you know Commander Kells?—A. Yes, sir.

Q. What was his duty?—A. He came to the Rio Grande, I think, in October, 1875, in command of the United States gunboat Rio Bravo. The gunboat came up the river and landed at the garrison at Fort Brown.

Q. Do you know of any effort on his part to bring about a collision which would involve the two countries in a war?—A. It was represented to me by a number of officers and others that Commander Kells had invited certain parties to arrange to have his boat fired on from the Mexican side of the river by persons from Texas, so as to produce a conflict and give him an opportunity of landing and burning a ranche in Mexico, ostensibly to resent the insult to the flag.

Q. Was that the ranch of Las Cuevas?—A. My recollection is that that ranch was designated.

Q. Do you know whether there were any United States troops at hand to co-operate in that movement?—A. Commander Kells was subsequently removed when the information in regard to his conversations reached the department, and another officer, Commander Beamey, was sent there to relieve him. Just subsequent to Kells being relieved there was an affair at Las Cuevas.

Q. Did our troops cross into Mexico?—A. I understood that McNally crossed with a lot of Texas troops, and that our troops supported him.

Q. Was that the McNally whom Kells desired to co-operate with him in bringing about the transaction which was to lead to the burning of that ranch?—A. I never heard McNally say anything on the subject, for I never had any conversation with him about the matter, neither before nor after the affair at Las Cuevas.

Q. Do you know what United States troops were co-operating with McNally at the crossing?—A. They were at first under the command of Major Clendenning, of the Eighth Cavalry, who, as I understood, would not cross without positive orders, and Major Alexander was subsequently sent from Fort Brown by Colonel Potter to re-enforce Clendenning and relieve him from command.

By Mr. STRAIT:

Q. Do you know anything, of your own knowledge, in regard to the statements you have just made about Kells and McNally?—A. I do not know anything about McNally of my own knowledge; all I know in regard to the project to cross at Las Cuevas, before the crossing actually occurred, were Kells's reported statements.

Q. Do you know anything officially about what was claimed to have been an outrage, perpetrated on the Texas side, upon Mr. Cordova? If so, tell us who he was and what the outrage was.—A. Colonel Cordova is an old citizen of Matamoros, perhaps over sixty years of age; I believe he was formerly postmaster of the city. He was a colonel in the Mexican force on the frontier. He is now the member of the legislature of the State of Tamaulipas, from the city of Matamoros. He once represented to me that he had been engaged in the Diaz movement, and that he and his friends had left Matamoros (which was then held by the Lerdistos) and gone over to the Texas side of the river to remain until their people should be ready to come over and take the city. He said that he was encamped with several others on the ranch of Sabas Cava-sos, a few miles above Brownsville, in Texas, and that while there, one morning about daylight, a detachment of United States troops came

up to the camp. The other persons that were with him left the camp and went into the bushes, but he said he had nothing to run away for and so he staid. The military came along and he was captured, and they wanted to know where the camp of the Diaz people was, or some such information. He said he knew nothing about it. They then tied his hands behind his back, put a rope around his neck, and run him up to a mesquite tree until he was senseless. He had a very evident mark around his neck when he came to see me, showing that he had been hung up.

Q. Who was in command of that military force?—A. He said it was under command of Colonel Potter, who then commanded at Fort Brown, Texas. I could not believe it, but he described him as "the general with the spectacles," who was in command at Fort Brown. He said it was Colonel Potter. As I could hardly believe that a military officer of the United States had been present when such a thing was done and not interfere to prevent it, I feared that I had misunderstood the old man Cordova, and I asked him to make his statement through an interpreter who spoke Spanish better than I did, which he did, and the interpreter repeated substantially what I have told you. Although this matter was spoken of freely in Brownsville by citizens and officers, I never heard of any steps being taken to punish those who did it.

By Mr. STRAIT:

Q. Do you attribute the disquiet on the frontier to the change of commanders, or has that any bearing upon it?—A. For the last year and a half it has been unusually quiet on the Lower Rio Grande; there have been fewer disturbances or depredations reported than at any time previous since I have lived there, with the single exception of the raid on the Rio Grande City jail last August.

By Mr. BRAGG:

Q. Is there any complaint that officers of any particular character or disposition are either removed from or sent to the border?—A. I have heard it discussed among Army men on the frontier, that officers who were supposed to be most willing to cross into Mexico have been stationed on the upper frontier by General Ord, and that a portion of the troops under their command consist of parts of regiments whose officers are back in Texas at the forts.

Q. Is there any reason assigned why the commanding officers of those troops are kept in the rear while their troops are sent to the front under the command of subordinates?—A. As I have told you, I know only from statements of Army officers which I have heard.

Q. That is what I want to get at.—A. Well, I have heard that some of the officers on the frontier could be used to forward the purposes of the commander of the department better than these more sedate men who were kept in the interior of Texas.

Q. Then the feeling is that the older and more conservative officers are placed in the rear on the Upper Rio Grande, while the more impetuous officers—the ones more likely to bring on a border difficulty, if there is to be one—are sent to the frontier, in order to forward the designs of the department commander?—A. I understood Army officers themselves to represent that the officers who would be more cautious and more reluctant to cross have not recently been on the upper frontier about Fort Clark; while those who would not hesitate so much were stationed up about Fort Duncan and Fort Clark, and so on. But I only speak of this as statements of Army officers themselves; I know nothing of it personally.

Q. What was the state of affairs as to peace and quiet upon the Lower Rio Grande before the issuing of the order of June, 1877?—A. I know of no particular depredations on the Rio Grande since about the commencement of 1876, except the affair at the Rio Grande City jail.

Q. What was the character of the depredations before and since that?—A. Prior to 1876 there were many points on the Texas frontier raided on by armed Mexicans who crossed the river into Texas, gathered up large herds of cattle, and drove them across into Mexico, where they found a ready market for the beef and hides. Those raiders were protected by Cortina and the Mexican local authorities. There were a great many complaints of that kind made publicly in the newspapers and privately; there were meetings held on the subject in Texas, and efforts made to counteract the raids, and I believe that these complaints were generally very just, and that there was a great deal of robbing and plundering by armed Mexicans in Texas.

Q. When did that cease?—A. On the Lower Rio Grande, from Eagle Pass down, it practically ceased, so far as I know, about the commencement of 1876.

Q. What has been the character of the raids north of Eagle Pass since that time?—A. I have never been able to conceive that there were a great number of raids or depredations along the Rio Grande above Eagle Pass, because there are but few settlements there on the Texas side. I have gone all over that country and I am unable to see where they would get the cattle if they made a raid, unless they came down into the district that I have mentioned as comprising a portion of the Lower Rio Grande along the Nueces. The district of country in the neighborhood of Eagle Pass and above that is a sheep and goat raising country to a great extent, and they do not depredate upon sheep ranches; they do not drive sheep or goats to any great distance. If they do steal sheep it amounts to nothing practically; but mules and horses and horned cattle are valuable. When you come up to the vicinity of Eagle Pass you reach the foot-hills of the mountains in Texas. There it becomes a sheep country. From Laredo to Eagle Pass and above that is a sheep country. There are some horse and mule ranches back on the Nueces, but I do not know of any great depredations committed on them recently.

Q. Then you speak from personal knowledge when you say that there is no stock in existence in that section of country?—A. Comparatively none. There are, of course, some stock ranches between Eagle Pass and the Nueces River, but there don't begin to be the number that there are lower down. It is not a country in which they raise cattle. Near Eagle Pass, above and below, it is a rolling country. Several rivers, such as the Nueces, the Frio, the Blanco, and the Medina, rise in the mountains and come down through the rolling lands between Eagle Pass and San Antonio. About the headwaters of these rivers is a fine agriculture and sheep-raising country. The lower country, on the other hand, is flatter and less rolling, a different character of country entirely, where cattle and horses roam at large. I have never been able to believe that there was any great amount of stock in that upper country, about Fort Clark and down the headwaters of the Nueces and Medina, because I have been through there and have never seen them; while in the lower country I have seen hundreds of thousands of horses and cattle.

Q. What population is there on the Mexican side, above Eagle Pass?—A. Well, I understand that it is comparatively sparse. There are the Santa Rosa Indians, consisting of the Lipans, Mescaleros, and some Kickapoos, the latter having left our country during the war, and

congregated back about the mountains, and I have no doubt that they make some raids.

Q. But those are raids made by common thieving parties?—A. Yes, sir.

Q. Thieving parties stealing cattle for meat to eat, or to sell?—A. Well, I should suppose that if the Indians raided across the Rio Grande as far as the stock ranges, it would be chiefly to carry off horses and mules for sale in Mexico.

Q. Considering the peace and quiet prevailing upon the Lower Rio Grande, and the condition of things on the Upper Rio Grande, above Eagle Pass, and considering the excited condition of the popular mind in Mexico, what occasion was there for an order for our troops to cross the river—what good was to be accomplished by it?—A. I always understood that that order was caused by the representations of General Ord, and I suppose that those representations as to the necessity for it must have been very urgent, and were doubtless based on what had occurred previously, and was likely to be repeated.

Q. But what *was* the necessity for it?—A. That I don't know; I suppose the order was issued upon representations made by General Ord, and it occurred to me at the time, from what knowledge I had of the frontier, that it was a precautionary measure to prevent raids such as had occurred previously on the Lower Rio Grande.

Q. You had heard of no extensive raids prior to the application for the order, had you?—A. No, sir; not immediately prior to it.

Q. And do you not know the fact that, as against the Lipans, the troops had crossed frequently before that time, without objection on the part of the Mexicans?—A. General Mackenzie crossed, I believe, once, and punished the Indians in the foot-hills of the mountains in Mexico, and I never heard of any questioning of the propriety of his doing so by Mexicans, private or public. On the contrary, they appeared to think that Mackenzie's punishment of the Indians in Mexico aided the Mexicans in keeping them quiet.

Q. What was the effect upon the minds of the Mexican people of the issuing of that order?—A. They were very apprehensive that it would bring on a conflict between the two countries.

Q. Why should they be so?—A. They were fearful that persons who were favorable to an aggressive movement on Texas would produce the circumstances which would justify an officer to cross into Mexico under that order; that is, they expressed themselves as apprehensive that lawlessly disposed persons would gather up cattle in Texas and drive them across the river into Mexico, and then put the officers of the Army on the trail, who would suppose it to be a genuine raid and pursue the trail into Mexico, when the persons who had driven the cattle across might fire on the troops in Mexico and bring on a conflict. I think that the Mexican officials on the border have been greatly stimulated in their efforts to prevent raiding from Mexico into Texas on that account, and the order to pursue cattle thieves into Mexico has been beneficial that far.

Q. At the time Commander Kells was endeavoring to bring about a state of affairs which would warrant him in bombarding Matamoros or burning Las Cuevas, was he not in association with the officers of the United States troops, and, apparently, quite in accord with them?—A. It was understood that he had been sent there with his gunboat at the instance of General Ord, to co-operate with the military on the frontier in preventing raids, and he appeared to be on quite good terms with the military officers. A good many Texas people appeared to sympathize

with Kells' idea of going over the Rio Grande and producing a conflict. I wish to say, however, that I never heard any officers express themselves in favor of the project, and Colonel Corbin took measures to check Kells, I understand.

Q. Suppose that the civil authorities were to properly execute their functions upon the Texas side of the border, could not they do it without using the United States troops as a constabulary force?—A. I am satisfied that if the State of Texas would perform its plain duty as regards maintaining the peace on the frontier, and require the counties on the border that are now organized to effectively enforce their municipal authority, quiet might be secured on the border, and life and property be made much more secure; without the presence of so large a force of United States troops. I am satisfied, however, that a certain amount of Federal military force on the frontier is necessary.

Q. To secure the observance of the neutrality laws?—A. Yes, sir; and also because the presence of the Army on the frontier is beneficial in maintaining order; it strengthens and supports the local authorities. If the Texas State officials would do their entire duty, and incur the expense necessary to enforce State authority, as it is done in most of the other States of the Union, I think they could do it without much military assistance.

Q. How do they act at present?—A. There is a large portion of the frontier above Eagle Pass, between that and El Paso, that is not organized into counties. There are no State officials there and no show of State authority, and, in the absence of any authority, there is of course a great attraction for lawless persons in that country—for lawless persons who avoid the usual restraints of law on account of the absence of proper State authority—on a large portion of the frontier. But the municipality of Brownsville maintains excellent order in the town; it is one of the most quiet and peaceful towns of its size I know of anywhere. The police force exercises its authority without impediment, and yet the proportion of population of Mexican origin is no greater in the country than it is in Brownsville.

Q. How is life valued on the frontier, lightly or otherwise?—A. Life is not valued very highly.

Q. Do all the people travel armed?—A. Nearly everybody goes armed. In the city and out of it everybody has arms in their houses, so far as I know, and everybody goes armed when traveling. In this respect I desire to say, however, that in my opinion if the same efforts had been made by the inhabitants of the country between the Rio Grande and the Nueces to make known the advantages of their climate and soil that have been used to exaggerate the disorders on the border, that valley would now be sufficiently settled by emigrants to take care of itself, as it is capable of maintaining a large population.

Q. Do you mean by that to say that there has been a system of publishing these raids and exaggerating their character for ulterior purposes?—A. Well, I have repeatedly read in Northern papers of raids and depredations committed there that I never heard of on the Rio Grande, and it seemed to me that the object was to create the widespread idea that such depredations were common, and clearly show the country at large that they required military protection there.

Q. By "military protection" you mean using the military as a constabulary force in order to relieve themselves from the expense of enforcing their own laws?—A. That is it to a certain extent, but it always appeared to me that they had also the object of selling their horses, and mules, and beef, and grass, and wood, to the Army, thus



producing a local market on the frontier. The presence of a large military force would enhance the price and create a greater demand for their products, and increase the value of everything produced on the Texas side of the Rio Grande.

Q. And the more troops they could get the larger and better the market they have?—A. The better the local market they have; and not only that, but they could profitably employ vessels on the gulf coast and steamboats on the Rio Grande in transporting Army supplies. However, there is no question but the Mexican border is one upon which there is a good deal of lawlessness and disorder, and which requires the presence of more troops than an equal extent of frontier elsewhere.

Q. If you know of any other facts bearing upon the condition of things on the frontier which may have caused disorder, or which, if brought about, would have a tendency to produce more peaceful relations, state it fully without further questioning.—A. There is a great disregard of our treaty stipulations and of the rights of citizens of the United States residing on the border in Mexico. The local authorities of Mexico, who are almost independent of the central government, pay but little respect to the treaty stipulations, and only enforce extraditions whenever it suits them; and from the fact that so many of our people have regarded themselves as injured in this way by the Mexican authorities, there is a good deal of feeling on the Texas side against the Mexicans.

Q. How has the peace of the border been maintained since Diaz established himself in power as compared with how it was before on the Mexican side?—A. On the Mexican side there is not much difference as regards the action of the local authorities. I have, however, known of no raids on the lower Rio Grande since Diaz assumed control, with the exception of breaking into the jail at Rio Grande City.

Q. Has he placed any force there for the purpose of enforcing the neutrality laws and the treaty stipulations between the governments?—A. I am not aware of the Mexican force on the Lower Rio Grande being augmented by the Diaz government. I believe that the general government under Diaz has urged upon General Canales and General Trevino, who command along the frontier, the urgent necessity of maintaining order, enforcing law, and preventing raids, and this, in connection with the apprehension that our troops would be likely to pursue Mexicans, who raid into Texas, back into Mexico and punish them on Mexican soil, has produced a more favorable state of affairs on the frontier than existed before the Diaz government came into power. There is no question in my mind but the Mexican authorities can prevent raids into Texas if they desire to; and while the order exists for our troops to pursue fresh cattle trails across the Rio Grande, the disposition to exert themselves to prevent raids will be greatly stimulated.

# APPENDIX.

No. 5.

*Mr. Evarts to Mr. Foster.*

No. 392.]

DEPARTMENT OF STATE,  
*Washington, May 23, 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.

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 cooperation 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 out-lawry 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. 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 in-

ferests 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 probable that this unjustifiable invasion of American soil was made in obedience to any special 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 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 sov-

ereignty 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 1 in 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 unmeditated 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 sentiment 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 doctrines 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 civilized 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 desirability 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 OF 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 toward 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 mediate 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 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 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.*

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.

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, &amp;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 minister 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 23th 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 substance 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 negotiations, 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 and 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 en-



trance 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 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 14th, 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 transcendency, 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. Lafragna of the 1st of December, 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 those 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 at 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 publish 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 pleni-

potentiary 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 inconsequent 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.

His Excellency I. L. VALLARTA,  
Minister of Foreign Affairs, Mexico.

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 Saragóssa 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 stone-mason 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 anything; 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.

HEADQUARTERS DISTRICT OF THE NUECES,  
*Fort Clark, Tex., September 14, 1877.*

SIR: For the information of the department commander, I have the honor to state that although the instructions given to Captains Kennedy and Lebo, Tenth Cavalry, and Lieutenant Jones, Tenth Cavalry, directs 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,  
*Aid-de-Camp.*

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