

NASARIO GONZALES.

APRIL 14, 1892.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. ATKINSON, from the Committee on Claims, submitted the following

REPORT:

[To accompany H. R. 6861.]

The Committee on Claims, to whom was referred the bill (H. R. 6861) to provide for the relief of Nasario Gonzales, a loyal citizen of New Mexico, having had the matter under consideration, beg leave to report:

The purpose of the bill is to refer for examination and adjudication a claim lawfully made very soon after the stealing and carrying away of his property by the Indians in 1863, and minutely described in the introduction to the bill, setting out that he is a loyal citizen of New Mexico, his post-office address is Turquesa, in the county of Santa Fe, N. Mex., and he was, previous to the first day of January, 1865, the lawful owner of eighty-five mares of the value of \$25 each, \$2,125; five horses of the value of \$30 each, \$150; one jack stallion, \$75, which were in the year 1863 stolen and driven away from his home in La Cinnega, county of Santa Fe, N. Mex., by the Navajoe Indians, and the same year the following property was stolen and taken from him at his cattle ranch in Santa Fe County, by the Navajoe Indians: Three hundred cattle of the value of \$25 each, \$7,500.

On or about July or August, 1863, at his sheep ranch in San Miguel County, in the Territory of New Mexico, the said Navajoe Indians stole and drove away from his possession six thousand sheep belonging to him, and in so doing killed four shepherds guarding the sheep; that pursuit was made by his forces under Capt. Green of the United States Army, and on the 7th of August, 1863, four thousand five hundred of the said six thousand sheep, as aforesaid stolen, were recovered, leaving to him a total loss of fifteen hundred sheep of the value of \$2 each, \$3,000. And that the said Navajoe Indians stole and took from him the same year, from his house and cattle ranch, seven mares of the value of \$25, \$175; one large mule, \$200; four small mules valued at \$20 each, \$80.

A very short time after the commission of the foregoing depredation, Judge Watts, of Santa Fe, N. Mex., a practicing attorney of Santa Fe, and formerly a United States territorial judge in New Mexico, gave notice through the columns of the Mexican papers, that under the treaty, to which the United States was a party, the Government of the United States was bound to pay to claimants the value of depredations committed by the Indians, and that he would prosecute all such claims that claimants would put in his hands for collection, and to that end he, under the direction of Judge Watts, prepared his claim for all of

the amounts hereinbefore set forth, and gave the same, together with the affidavits of individuals personally cognizant of the commission of the depredations hereinbefore set forth, to Judge Watts, he agreeing to faithfully prosecute the same for a reasonable percentage of the amount he should recover from the Government of the United States, and until after the passage of the act of March 3, 1891, pertaining to Indian depredations, he supposed that his said claims had been by Judge Watts presented to the proper authorities at Washington, and with other claims in condition for consideration, when he was informed that they did not appear in the published list of Indian depredations; that Judge Watts is dead, and has been for several years, and he has no means of obtaining access to the papers of Judge Watts.

The committee having before them the accredited evidence that the allegations made by Mr. Gonzales touching the loss of his property, and the preparation of his papers to be filed in the Interior Department by Judge Watts prior to the 1st of January, 1865, together with the undoubted testimony of Mr. Lehman Sniegelberg, president of the Second National Bank of New Mexico, location at the capital of Santa Fe, and Hon. Amado Chaves, the Territorial superintendent of common schools of the Territory, as to the high character and standing of Mr. Gonzales in New Mexico, the committee deem it just and proper that his several claims be referred to the Court of Claims of the United States to receive the same consideration as those referred to said court by the act of Congress approved the 3d of March, 1891, inasmuch as it was not the fault of Mr. Gonzales that his said claims were not on file in the Interior Department on the first of January, 1865, and therefore the passage of the bill is recommended.

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